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RIVER BASIN PLANNING ACT

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HEARING
BEFORE THE
SUBCOMMITTEE ON
IRRIGATION AND RECLAMATION
OF THE
COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
UNITED STATES SENATE
EIGHTY-NINTH CONGRESS
FIRST SESSION
ON
S. 21

A BILL TO PROVIDE FOR THE OPTIMUM DEVELOPMENT OF
THE NATION'S NATURAL RESOURCES THROUGH THE CO-
ORDINATED PLANNING OF WATER AND RELATED LAND
RESOURCES, THROUGH THE ESTABLISHMENT OF A WATER
RESOURCES COUNCIL AND RIVER BASIN COMMISSIONS,
AND BY PROVIDING FINANCIAL ASSISTANCE TO THE
STATES IN ORDER TO INCREASE STATE PARTICIPATION
IN SUCH PLANNING

FEBRUARY 5, 1965

Printed for the use of the
Committee on Interior and Insular Affairs



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RIVER BASIN PLANNING ACT

FRIDAY, FEBRUARY 5, 1965

U.S. SENATE,
SUBCOMMITTEE ON IRRIGATION AND RECLAMATION
OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS,
Washington, D.C.

The subcommittee met, pursuant to call, at 10 a.m. in room 3110, Senate Office Building, Senator Clinton P. Anderson (chairman of the subcommittee) presiding.

Present: Senators Clinton P. Anderson, of New Mexico; Frank Church, of Idaho; Quentin N. Burdick, of North Dakota; Gordon Allott, of Colorado; and Len B. Jordan, of Idaho.

Also present: Stewart French, chief counsel, and Benton J. Stong, former professional staff member.

Senator ANDERSON. The subcommittee will come to order.

This is an open public hearing by the Subcommittee on Irrigation and Reclamation on S. 21, a bill to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a Water Resources Council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning. The bill itself provides that the act may be cited as the "Water Resources Planning Act."

I introduced S. 21 on January 6 of this year for myself and Senators Bible, Eastland, Hart, Hartke, Kuchel, Metcalf, Moss, Tower, and Yarborough. Thus, it will be seen that this basic, far-reaching legislative proposal has distinguished bipartisan support from Senators representing States in the South and Middle West as well as the West.

I will direct that the text of the bill be printed in the record of these hearings at this point. Also the reports on the bill submitted by the Department of the Interior and the Bureau of the Budget. (Under authority granted the report of the Federal Power Commission is also included.)

(The bill and reports follow:)

[S. 21, 89th Cong., 1st sess.]

A BILL To provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Water Resources Planning Act".

STATEMENT OF POLICY

SEC. 2. In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the

conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis with the cooperation of all affected Federal agencies, States, local governments, and others concerned.

EFFECT ON EXISTING LAWS

SEC. 3. Nothing in this Act shall be construed—

(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, or limit or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

(b) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources, or to exercise licensing or regulatory functions in relation thereto; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, or of the International Boundary and Water Commission, United States and Mexico.

TITLE I—WATER RESOURCES COUNCIL

SEC. 101. There is hereby established a Water Resources Council (hereinafter referred to as the "Council") which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Chairman of the Council shall request the heads of other agencies to participate with the Council when matters affecting their responsibilities are considered by the Council. The Chairman of the Council shall be designated by the President.

SEC. 102. The Council shall—

(a) maintain a continuing study and prepare a biennial assessment of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and

(b) maintain a continuing study of the relation of regional or river basin plans and programs to the requirements of larger regions of the Nation, and of the adequacy of administrative and statutory means for the coordination of the water and related land resources policies and programs of the several Federal agencies; it shall appraise the adequacy of existing and proposed policies and programs to meet such requirements; and it shall make recommendations to the President with respect to Federal policies and programs.

SEC. 103. The Council shall establish, with the approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects. Such procedures may include provision for Council revision of plans for Federal projects intended to be proposed in any plan or revision thereof being prepared by a river basin planning commission.

SEC. 104. Upon receipt of a plan or revision thereof from any river basin commission under the provisions of section 204(a) (3) of this Act, the Council shall review the plan or revision with special regard to—

(1) the efficacy of such plan or revision in achieving optimum use of the water and related land resources in the area involved;

(2) the effect of the plan on the achievement of other programs for the development of agricultural, urban, energy, industrial, recreational, fish and wildlife, and other resources of the entire Nation; and

(3) the contributions which such plan or revision will make in obtaining the Nation's economic and social goals.

Based on such review the Council shall—

(a) formulate such recommendations as it deems desirable in the national interest; and

(b) transmit its recommendations, together with the plan or revision of the river basin commission, and the views, comments, and recommendations

with respect to such plan or revision submitted by any Federal agency, Governor, interstate commission, or United States section of an international commission, to the President for his review and transmittal to the Congress with his recommendations in regard to authorization of Federal projects.

SEC. 105. (a) For the purpose of carrying out the provisions of this Act, the Council may: (1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) employ and fix the compensation of such personnel as it deems advisable, in accordance with the civil service laws and Classification Act of 1949, as amended; (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates not to exceed \$100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; and (7) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) Any member of the Council is authorized to administer oaths when it is determined by a majority of the Council that testimony shall be taken or evidence received under oath.

(c) To the extent permitted by law, all appropriate records and papers of the Council may be made available for public inspection during ordinary office hours.

(d) Upon request of the Council, the head of any Federal department or agency is authorized (1) to furnish to the Council such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such Council on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The Council shall be responsible for (1) the appointment and supervision of personnel, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds.

TITLE II—RIVER BASIN COMMISSIONS

CREATION OF COMMISSIONS

SEC. 201. (a) The President is authorized to declare the establishment of a river basin water and related land resources commission upon request therefor by the Council, or request addressed to the Council by a State within which all or part of the basin or basins concerned are located if the request by the Council or by a State (1) defines the area, river basin, or group of related river basins for which a commission is requested, (2) is made in writing by the Governor or in such manner as State law may provide, or by the Council, and (3) is concurred in by the Council and by not less than one-half of the States within which portions of the basin or basins concerned are located. Such concurrences shall be in writing.

(b) Each such commission for an area, river basin, or group of river basins shall, to the extent consistent with section 3 of this Act—

(1) serve as the principal agency for the coordination of Federal, State, interstate, and local plans for the development of water and related land resources in its area, river basin, or group of river basins;

(2) prepare and keep up to date, to the extent practicable, a comprehensive, coordinated, joint plan for Federal, State, interstate, and local development of water and related resources: *Provided*, That the plan shall include an evaluation of all reasonable alternative means of achieving optimum development of water and related land resources of the basin or basins, and it may be prepared in stages, including recommendations with respect to individual projects;

(3) recommend long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and

(4) foster and undertake such studies of water and related land resources problems in its area, river basin, or group of river basins as are necessary in the preparation of the plan described in clause (2) of this subsection.

MEMBERSHIP OF COMMISSIONS

SEC. 202. Each river basin commission shall be composed of members appointed as follows:

(a) A chairman appointed by the President who shall also serve as chairman and coordinating officer of the Federal members of the commission and who shall represent the Federal Government in Federal-State relations on the commission and who shall not, during the period of his service on the commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the Federal Government;

(b) One member from each Federal department or independent agency determined by the President to have a substantial interest in the work to be undertaken by the commission, such member to be appointed by the head of such department or independent agency and to serve as the representative of such department or independent agency;

(c) One member from each State which lies wholly or partially within the area, river basin, or group of river basins for which the commission is established, and the appointment of each such member shall be made in accordance with the laws of the State which he represents. In the absence of governing provisions of State law, such State members shall be appointed and serve at the pleasure of the Governor;

(d) One member appointed by any interstate agency created by an interstate compact to which the consent of Congress has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is created;

(e) When deemed appropriate by the President, one member, who shall be appointed by the President, from the United States section of any international commission created by a treaty to which the consent of the Senate has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is established.

ORGANIZATION OF COMMISSIONS

SEC. 203. (a) Each river basin commission shall organize for the performance of its functions within ninety days after the President shall have declared the establishment of such commission, subject to the availability of funds for carrying on its work. A commission shall terminate upon agreement of the Council or agreement of a majority of the States composing the commission. Upon such termination, all property, assets, and records of the commission shall thereafter be turned over to such agencies of the United States and the participating States as shall be appropriate in the circumstances: *Provided*, That studies, data, and other materials useful in water and related land resource planning to any of the participants shall be kept freely available to all such participants.

(b) State members of each commission shall elect a vice chairman, who shall serve also as chairman and coordinating officer of the State members of the commission and who shall represent the State governments in Federal-State relations on the commission.

(c) Vacancies in a commission shall not affect its powers but shall be filled in the same manner in which the original appointments were made: *Provided*, That the chairman and vice chairman may designate alternates to act for them during temporary absences.

(d) In the work of the commission every reasonable endeavor shall be made to arrive at a consensus of all members on all issues; but failing this, full opportunity shall be afforded each member for the presentation and report of individual views: *Provided*, That at any time the commission fails to act by reason of absence of consensus, the position of the chairman, acting in behalf of the Federal members, and the vice chairman, acting upon instructions of the State members, shall be set forth in the record: *Provided further*, That the chairman, in consultation with the vice chairman, shall have the final authority, in the absence of an applicable bylaw adopted by the commission or in the absence of a consensus, to fix the times and places for meetings, to set deadlines for the submission of annual and other reports, to establish subcommittees, and to decide such other procedural questions as may be necessary for the commission to perform its functions.

DUTIES OF THE COMMISSIONS

SEC. 204. Each river basin commission shall—

(1) engage in such activities and make such studies and investigations as are necessary and desirable in carrying out the policy set forth in section 2 of this Act and in accomplishing the purposes set forth in section 201(b) of this Act;

(2) submit to the Council and the Governor of each participating State a report on its work at least once each year. Such report shall be transmitted through the President to the Congress. After such transmission, copies of any such report shall be sent to the heads of such Federal, State, interstate, and international agencies as the President or the Governors of the participating States may direct;

(3) submit to the Council for transmission to the President and by him to the Congress, and the Governors and the legislatures of the participating States a comprehensive, coordinated, joint plan, or any major portion thereof or necessary revisions thereof, for water and related land resources development in the area, river basin, or group of river basins for which such commission was established. Before the commission submits such a plan or major portion thereof or revision thereof to the Council, it shall transmit the proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and each interstate agency, from which a member of the commission has been appointed, and to the head of the United States section of any international commission if the plan, portion or revision deals with a boundary water or a river crossing a boundary, or any tributary flowing into such boundary water or river, over which the international commission has jurisdiction or for which it has responsibility. Each such department and agency head, Governor, interstate agency, and United States section of an international commission shall have ninety days from the date of the receipt of the proposed plan, portion or revision to report its views, comments, and recommendations to the commission. The commission may modify the plan, portion or revision after considering the report so submitted. The views, comments, and recommendations submitted by each Federal department or agency head, Governor, interstate agency, and United States section of an international commission shall be transmitted to the Council with the plan, portion or revision; and

(4) submit to the Council at the time of submitting such plan, any recommendations it may have for continuing the functions of the commission and for implementing the plan, including means of keeping the plan up to date.

POWERS AND ADMINISTRATIVE PROVISIONS OF THE COMMISSIONS

SEC. 205. (a) For the purpose of carrying out the provisions of this title, each river basin commission may—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable;

(2) acquire, furnish, and equip such office space as is necessary;

(3) use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States;

(4) employ and compensate such personnel as it deems advisable, including consultants, at rates not to exceed \$100 per diem;

(5) arrange for the services of personnel from any State or the United States, or any subdivision or agency thereof, or any intergovernmental agency;

(6) make arrangements, including contracts, with any participating government, except the United States or the District of Columbia, for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for or continuing in another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel;

(7) purchase, hire, operate, and maintain passenger motor vehicles; and

(8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) The chairman of a river basin commission, or any member of such commission designated by the chairman thereof for the purpose, is authorized to administer oaths when it is determined by a majority of the commission that testimony shall be taken or evidence received under oath.

(c) to the extent permitted by law, all appropriate records and papers of each river basin commission shall be made available for public inspection during ordinary office hours.

(d) Upon request of the chairman of any river basin commission, or any member or employee of such commission designated by the chairman thereof for the purpose, the head of any Federal department or agency is authorized (1) to furnish to such commission such information as may be necessary for carrying out its functions and as many be available to or procurable by such department or agency, and (2) to detail to temporary duty with such commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The chairman of each river basin commission shall, in accordance with the general policies of such commission with respect to the work to be accomplished by it and the timing thereof, be responsible for (1) the appointment and supervision of personnel employed by such commission, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds available to such commission.

COMPENSATION OF COMMISSION MEMBERS

SEC. 206. (a) Any member of a river basin commission appointed pursuant to section 202 (b) and (e) of this Act shall receive no additional compensation by virtue of his membership on the commission, but shall continue to receive, from appropriations made for the agency from which he is appointed, the salary of his regular position when engaged in the performance of the duties vested in the commission.

(b) Members of a commission, appointed pursuant to section 202 (c) and (d) of this Act, shall each receive such compensation as may be provided by the States or the interstate agency respectively, which they represent.

(c) The per annum compensation of the chairman of each river basin commission shall be determined by the President, but when employed on a full-time annual basis shall not exceed the maximum scheduled rate for grade GS-18 of the Classification Act of 1949, as amended; or when engaged in the performance of the commission's duties on an intermittent basis such compensation shall be not more than \$100 per day and shall not exceed \$12,000 in any year.

SEC. 207. (a) Each commission shall recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission's expenses shall be otherwise apportioned as the commission may determine. Each commission shall prepare a budget annually and transmit it to the Council and the States. Estimates of proposed appropriations from the Federal Government shall be included in the budget estimates submitted by the Council under the Budgeting and Accounting Act of 1921, as amended, and may include an amount for advance to a commission against State appropriations for which delay is anticipated by reason of later legislative sessions. All sums appropriated to or otherwise received by a commission shall be credited to the commission's account in the Treasury of the United States.

(b) A commission may accept for any of its purposes and functions appropriations, donations, and grants of money, equipment, supplies, materials, and services from any State or the United States or any subdivision or agency thereof, or intergovernmental agency, and may receive, utilize, and dispose of the same.

(c) The commission shall keep accurate accounts of all receipts and disbursements. The accounts shall be audited at least annually in accordance with generally accepted auditing standards by independent certified or licensed public accountants, certified or licensed by a regulatory authority of a State, and the report of the audit shall be included in and become a part of the annual report of the commission.

(d) The accounts of the commission shall be open at all reasonable times for inspection by representatives of the jurisdictions and agencies which make appropriations, donations, or grants to the commission.

TITLE III—FINANCIAL ASSISTANCE TO THE STATES FOR COMPREHENSIVE PLANNING GRANT AUTHORIZATION

SEC. 301. (a) In recognition of the need for increased participation by the States in water and related land resources planning to be effective, there are hereby authorized to be appropriated to the Council for the next fiscal year beginning after the date of enactment of this Act, and for the nine succeeding fiscal years thereafter, \$5,000,000 in each such year for grants to States to assist them in developing and participating in the development of comprehensive water and related land resources plans.

(b) The Council, with the approval of the President, shall prescribe such rules, establish such procedures, and make such arrangements and provisions relating to the performance of its functions under this title, and the use of funds available therefor, as may be necessary in order to assure (1) coordination of the program authorized by this title with related Federal planning assistance programs, including the program authorized under section 701 of the Housing Act of 1954 and (2) appropriate utilization of other Federal agencies administering programs which may contribute to achieving the purpose of this Act.

ALLOTMENTS

SEC. 302. (a) From the sums appropriated pursuant to section 301 for any fiscal year the Council shall from time to time make allotments to the States, in accordance with its regulations on the basis of (1) the population, (2) the land area, (3) the need for comprehensive water and related land resources planning programs, and (4) the financial need of the respective States. For the purposes of this section the population of the States shall be determined on the basis of the latest estimates available from the Department of Commerce and the land area of the States shall be determined on the basis of the official records of the United States Geological Survey.

(b) From each State's allotment under this section for any fiscal year the Council shall pay to such State an amount which is not more than 50 per centum of the cost of carrying out its State program approved under section 303, including the cost of training personnel for carrying out such program and the cost of administering such program.

STATE PROGRAMS

SEC. 303. The Council shall approve any program for comprehensive water and related land resources planning which is submitted by a State, if such program—

(1) provides for comprehensive planning with respect to intrastate or interstate water resources or both in such State to meet the needs for water and water related activities taking into account prospective demands for all purposes served through or affected by water and related land resources development, with adequate provision for coordination with all Federal, State, and local agencies having responsibilities in affected fields;

(2) provides, where comprehensive statewide development planning is being carried on with or without assistance under section 701 of the Housing Act of 1954, for full coordination between comprehensive water resources planning and other statewide planning programs and for assurances that such water resources planning will be in conformity with the general development policy in such State;

(3) designates a State agency (hereinafter referred to as the "State agency") to administer the program;

(4) provides that the State agency will make such reports in such form and containing such information as the Council from time to time reasonably requires to carry out its functions under this title;

(5) sets forth the procedure to be followed in carrying out the State program and in administering such program; and

(6) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for keeping appropriate accountability of the funds and for the proper and efficient administration of the program.

The Council shall not disapprove any program without first giving reasonable notice and opportunity for hearing to the State agency administering such program.

REVIEW

SEC. 304. Whenever the Council after reasonable notice and opportunity for hearing to a State agency finds that—

(a) the program submitted by such State and approved under section 303 has been so changed that it no longer complies with a requirement of such section; or

(b) in the administration of the program there is a failure to comply substantially with such a requirement, the Council shall notify such agency that no further payments will be made to the State under this title until it is satisfied that there will no longer be any such failure. Until the Council is so satisfied, it shall make no further payments to such State under this title.

PAYMENTS

SEC. 305. The method of computing and paying amounts pursuant to this title shall be as follows:

(1) The Council shall, prior to the beginning of each calendar quarter or other period prescribed by it, estimate the amount to be paid to each State under the provisions of this title for such period, such estimate to be based on such records of the State and information furnished by it, and such other investigation, as the Council may find necessary.

(2) The Council shall pay to the State, from the allotment available therefor, the amount so estimated by it for any period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which it finds that its estimate of the amount to be paid such State for any prior period under this title was greater or less than the amount which should have been paid to such State for such prior period under this title. Such payments shall be made through the disbursing facilities of the Treasury Department at such times and in such installments as the Council may determine.

DEFINITION

SEC. 306. For this purpose of this title the term "State" means a State, the District of Columbia, Puerto Rico, or the Virgin Islands.

SEC. 307. (a) Each recipient of a grant under this Act shall keep such records as the Chairman of the Council shall prescribe, including records which fully disclose the amount and disposition of the funds received under the grant, and the total cost of the project or undertaking in connection with which the grant was made and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Chairman of the Council and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant that are pertinent to the determination that funds granted are used in accordance with this Act.

TITLE IV—MISCELLANEOUS

AUTHORIZATION OF APPROPRIATIONS

SEC. 401. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of titles I and II and the administration of title III.

RULES AND REGULATIONS

SEC. 402. The Council is authorized to make such rules and regulations as it may deem necessary or appropriate for carrying out those provisions of this Act which are administered by it.

DELEGATION OF FUNCTIONS

SEC. 403. The Council is authorized to delegate to any member or employee of the Council its administrative functions under section 105 and the detailed administration of the grant program under title III.

UTILIZATION OF PERSONNEL

SEC. 404. The Council may, with the consent of the head of any other department or agency of the United States, utilize such officers and employees of such agency on a reimbursable basis as are necessary to carry out the provisions of this Act.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 2, 1965.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JACKSON: This responds to your request for the views of this Department on S. 21, a bill "To provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning."

This is the proposed Water Resources Planning Act. We are most pleased to recommend its enactment.

The title of this bill states its objective—that the optimum contribution of America's water and related land resources to the national well-being shall be realized; and outlines the mechanism for accomplishing that objective—coordinated planning by a Federal Water Resources Council and Federal-State river basin commissions, with financial support for planning by the States.

Title I of the bill would establish a Cabinet-level Water Resources Council to achieve uniformity in Federal water resource planning activity. The membership of the Council would be the heads of agencies with responsibilities for conservation, development, and use of water and related land resources—namely the Secretaries of the Interior, Army, Agriculture and Health, Education, and Welfare and the Chairman of the Federal Power Commission. The Water Resources Council would also review the comprehensive plans prepared by the river basin commissions and make recommendations respecting those plans to the President for transmittal to the Congress.

Title II of the bill would create a framework for establishing joint Federal-State commissions where needed for planning the comprehensive development of the water and related land resources in a river basin, region, or group of related river basins. These commissions would prepare comprehensive joint plans for the development of the water and related land resources of their area for submission to the Congress through the Water Resources Council and the President.

Title III of the bill would authorize Federal grants to assist the States in carrying out their important water planning responsibilities.

We have not discussed the provisions of S. 21 in detail in this letter. How best to organize for the coordinated planning for development of the Nation's water and related land resources has been exhaustively considered in the States, the Congress and the Federal executive branch for almost 4 years. S. 21 is the product of those deliberations. It is identical to S. 1111 of the 88th Congress as it was reported by the House Committee on Interior and Insular Affairs. As such, this bill is the end product of constructive, cooperative thinking on what pattern of organization will produce the best plans for developing our water and related land resources in the best interests of the Nation. We in the Department of the Interior are in accord with this thinking, and recommend that the Congress enact the bill.

The Bureau of the Budget has advised that enactment of the bill would be in accord with the President's program.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., February 4, 1965.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for our views on S. 21, a bill "To provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning."

For the reasons set out in the statement on this bill which I am presenting to your committee on behalf of the executive branch and subject to consideration of an amendment recommended in that statement, the Bureau of the Budget urges favorable consideration of S. 21, the enactment of which would be in accord with the program of the President.

Sincerely yours,

ELMER B. STAATS, *Deputy Director*^{*}

FEDERAL POWER COMMISSION REPORT ON S. 21, 89TH CONGRESS

The proposed legislation, which would be known as the Water Resources Planning Act, declares the policy of Congress to encourage the conservation, development, and utilization of water and related land resources on a comprehensive and coordinated basis with the cooperation of Federal, State, and local governments and others concerned. To implement this policy the bill would create a Water Resources Council composed of the Secretaries of the Interior, Agriculture, the Army, and Health, Education, and Welfare, and the Chairman of the Federal Power Commission as regular members. The Council would be an interagency coordinating group charged with broad responsibilities for formulating, evaluating, and coordinating water resources plans on a national basis. The bill would also provide for the setting up of intergovernmental river basin commissions, composed of representatives of interested State and Federal agencies. These commissions would be responsible for preparing and coordinating regional or area plans. Appropriations of \$5 million annually for 10 years would be authorized to assist the States in water and related land resources planning.

The desirability of establishing formally an effective coordinating entity in the field of water resources planning and development has been generally recognized in recent years.¹ This need has been particularly evident with respect to coordination of Federal and non-Federal development. Establishment of the proposed machinery to facilitate participation by State and local interests should lead to fuller understanding and more effective cooperation between the United States and State and local interests concerned with the development of water and related land resources.

S. 21 would make it possible for the Federal Power Commission, by means of the membership of its Chairman on the proposed Water Resources Council, to bring to bear its long experience in comprehensive planning of water resources projects derived from administration of the Federal Power Act and from participation in planning Federal river development projects under various other acts.

Under the broad provisions of the Federal Power Act the Commission, in addition to licensing non-Federal hydroelectric developments, has over the years studied power possibilities on streams throughout the United States and has accumulated and keeps current a large volume of data on all segments of the power industry, publicly and privately owned, its capacity, operations, requirements, loads, locations, and interconnections. As part of the National Power

¹ See the Jan. 17, 1956, report of the Presidential Advisory Committee on Water Resources Policy (H. Doc. 315, 84th Cong., 2d sess.), the June 1955 report on Water Resources and Power submitted by the Commission on Organization of the Executive Branch of the Government (known as the Second Hoover Commission), the June 1955 report and accompanying studies on natural resources and conservation submitted by the Commission on Intergovernmental Relations, and the Jan. 30, 1961, report (S. Rept. 29, 87th Cong., 1st sess.), submitted by the Select Committee on National Water Resources set up pursuant to S. Res. 48 of the 86th Cong.

Survey, recently published by the Commission, a survey of the Nation's hydro-power potential was undertaken which emphasized the need for long-range comprehensive plans to harmonize the requirements of all water uses. In connection with other statutory responsibilities, the Commission cooperates with Federal constructing agencies in developing plans for the comprehensive development of river basins; and since 1943 the Commission has been a full member of the Federal Interagency Committee on Water Resources (and its predecessor Committee) established to coordinate the planning and development of river basin projects.

Section 3 of this bill preserves the Commission's licensing and related statutory functions. Section 103 assigns to the Water Resources Council the vitally important function of establishing guiding principles, standards, and procedures for Federal projects. With regular membership on the Water Resources Council provided in section 101, the Commission will be able to continue to fulfill its statutory functions effectively and at the same time contribute to the work of the Council.

S. 21 is substantially similar to S. 1111, 88th Congress, which was passed by the Senate on December 4, 1963, and on which we favorably reported to the House committee on March 23, 1964 (H. Rept. 1877, 88th Cong.). We continue to support this bill and recommend its early enactment.

FEDERAL POWER COMMISSION.

By DAVID S. BLACK, *Acting Chairman*.

Senator ANDERSON. S. 21, 89th Congress, is identical with S. 1111 of the 88th Congress as that measure was reported favorably to the House of Representatives by the House Interior Committee after it had been considered by our committee and passed by the Senate on December 4, 1963. S. 1111 did not obtain a rule from the House Rules Committee and, therefore, died with the adjournment of the 88th Congress.

Both the Senate and House Interior Committees held comprehensive hearings in the 88th Congress on S. 1111, at which the views of the executive agencies of the Federal Government, those of the States, and those of interested private organizations and individuals were set forth.

I will direct that these hearings on S. 1111 of the 88th Congress be incorporated by reference into the record of these hearings so that the committee and the Congress may have the complete record before it for information and guidance.

Also, the record of these hearings will be kept open for a week to permit inclusion of any new executive agency reports and expressions of views of the States and organizations and individuals.

S. 21 would accomplish three things. It provides for a Federal Water Council composed of the Secretaries of the Interior, Army, Agriculture, and Health, Education, and Welfare, and the Chairman of the Federal Power Commission. This Council has been functioning on an ad hoc basis for 4 years.

The bill also authorizes the establishment of Federal-State river basin planning commissions where and when half the States involved and the Council agree that a commission is desirable. Finally, it authorizes the appropriation of \$5 million annually for 10 years to assist State governments in planning for both intrastate and interstate waters.

The purposes of this planning bill have the vigorous support of the Interstate Conference on Water Problems of the Council of State Governments, the National Reclamation Association, the National Association of Manufacturers, the National Wildlife Federation, the Upper Colorado River Commission, and many other groups.

A House companion measure to S. 21 which, perhaps significantly, carries the number of the old Senate bill, S. 1111, was considered by the House committee on Wednesday in open hearing, and I understand a markup executive session is scheduled for next Wednesday. The two bills are substantially identical, and it is my earnest hope that we can proceed to act on them without delay.

In view of my conviction that the basic issues were thoroughly discussed in the open hearings in the last Congress and my desire for prompt action, I will try to practice what I preach and will not prolong this opening statement. However, I do wish to emphasize one very important point. That is: Federal-State water rights, which has been something of a straw man for a number of years any time a comprehensive bill for joint efforts by the States and Federal Government is considered, are in no way involved in S. 21. I hope very much this diversionary, baseless issue will not be interjected into the consideration of S. 21.

With that injunction, or at least hope, I will bring my comments to a close and ask if any member of the committee wishes to make a statement at this point.

Then I will call upon Mr. Elmer Staats, Deputy Director of the Bureau of the Budget, who will be spokesman for all of the executive agencies of the administration.

STATEMENT OF ELMER B. STAATS, DEPUTY DIRECTOR, BUREAU OF THE BUDGET; ACCOMPANIED BY WESLEY K. SASAKI, ASSISTANT DIVISION CHIEF, RESOURCES AND CIVIL WORKS DIVISION, BUREAU OF THE BUDGET; AND MONTE CANFIELD, JR., BUDGET EXAMINER, RESOURCES AND CIVIL WORKS DIVISION, BUREAU OF THE BUDGET

Mr. STAATS. With me are Mr. Sasaki and Mr. Canfield, who have been working on this matter with me, who will be here to answer questions if I cannot do so.

Mr. Chairman, I have a brief statement that I would like to present and then answer any questions you may have.

Senator ANDERSON. You may proceed.

Mr. STAATS. I wish to thank you for the invitation to discuss with you S. 21, the Water Resources Planning Act. Enactment of this legislation will implement a major recommendation of President Kennedy's 1961 message on natural resources. President Kennedy emphasized his support by recommending similar legislation as part of the administration's 1963 budget, and again in his 1964 budget message.

In the 1965 budget, President Johnson committed his administration to support of this legislation and, less than 2 weeks ago, the President reasserted his commitment in his 1966 budget message. He stated:

I am * * * again recommending legislation to authorize river basin planning commissions and grants to States for planning the best use of water resources.

We are most appreciative of this committee's continuing concern for the proper planning and development of our Nation's water resources. In large measure, it was through the perseverance of this committee

that the divergent views of many groups, all recognizing the benefits of comprehensive and coordinated planning, were molded into S. 1111, the bill which passed the Senate in December 1963. This bill, S. 21, is similar to S. 1111 as passed by the Senate, and incorporates the recommendations of the House committee on S. 1111. It reflects the needs and responsibilities of both Federal and State Governments.

The bill has strong administration support. I hope it will receive early favorable action by the Congress.

The problem areas that confront us in the water resources field are immense and varied. They include flood control, navigation, hydroelectric power, pollution abatement, and water quality control, municipal and industrial water supply, irrigation, recreation, and fish and wildlife conservation.

In general, the overall national water supply is abundant, but it is not distributed equally. Shortages in some sections of the country are becoming critical and tend to restrict economic growth. At the same time, in areas with adequate quantities of water, problems arise because of floods and pollution.

The pollution of our streams and rivers is of grave importance and of particularly deep concern because of the impact of water quality on all water uses. Studies reported in 1961 by the Senate Select Committee on National Water Resources, based on data furnished by the Public Health Service, estimated the need for investment in sewage and industrial waste collection and treatment facilities alone would amount to over \$42 billion between 1954 and 1980, and over \$81 billion by the year 2000.

The late Senator Robert S. Kerr, chairman of the Senate select committee, summarized the problem succinctly in 1961:

An ample supply of good quality water is essential to the continued welfare of modern civilization. If the economy of the United States is to continue to grow and prosper, there must be adequate supplies of water * * *.

Thus, our goal must be to develop, manage, and utilize our basic water supply to meet demands as they arise—both in quantity and quality. The development of these vital resources is a vast undertaking which is growing larger. Proper development will require the concerted and coordinated action of Federal, State, and local agencies which this bill is designed to facilitate.

The vastness of the task is exemplified by the Federal investment in water resources. Estimated Federal expenditures (including trust funds) in the 1966 budget for natural resources programs are \$2.9 billion, about two-thirds of which will be for the construction, maintenance, and operation of water resources projects. The remaining one-third includes Federal expenditures related to forests, minerals, recreation, and fish and wildlife.

The prudent development of our water and related land resources must be based on sound planning. Each project, each plan, must further the most efficient use of water. Each project, each plan, must be critically evaluated in the light of competing demands for this increasingly scarce resource. To attain this will require comprehensive and coordinated planning. The problems of proper water resources planning will not solve themselves.

As Senator Kerr wrote in 1961 :

Formation of a program to meet the Nation's needs must await the preparation of detailed and comprehensive plans for water resources development in each of the river basins.

The select committee recommends that such plans be developed cooperatively by the appropriate Federal and State agencies at the earliest practicable time.

President Kennedy was interested in comprehensive planning, and in October 1961 he asked that the agency heads who would be members of the proposed Water Resources Council concern themselves with the development of appropriate policies and procedures for planning water resources projects.

Since then, the Federal Government has attempted, with success, to coordinate its own efforts in comprehensive planning through an Interdepartmental Staff Committee on Water Resources. In the 1966 budget, funds are requested to carry out river basin studies under this coordinated program. It is a good program, a step in the right direction, but it is not enough.

One method of dealing more effectively with the problem of comprehensive planning is through the establishment of mechanisms which recognize the special and continuing responsibilities of the various levels of government. We have had, in the past, one-time efforts toward comprehensive river basin planning, but a major missing ingredient in these efforts has been the provision for a continuing program. The need to maintain these efforts and to keep them up to date is clear if we are to maximize their usefulness. S. 21 provides for continuing study and updating of river basin plans.

The basic idea of comprehensive river basin planning for Federal, State, and local action has been endorsed for many years. For example, the President's Water Resources Policy Commission in 1950 and the Presidential Advisory Committee on Water Resources Policy in 1955 both supported this concept.

Enactment of S. 21 will put that concept into effect. It is the next step in promoting optimum development of the Nation's water resources. It will recognize, in an appropriate manner, State and interstate interest in the planning process. And it will provide an opportunity for the States to participate in the planning process from its inception, rather than reviewing a plan, in the development of which they played only a small part.

It will, in addition, aid the States in their planning efforts through Federal grants. The bill is the result of consultation and cooperation with many State interests.

Mr. Chairman, so far as we know, this bill now has general support on the part of all Federal agencies, the States, and local governments.

Senator ANDERSON. Since you said that, and since you started by expressing the appreciation for the work of this committee in taking care of the views of many groups, I want to say it wasn't the work half as much of the committee as the committee staff, particularly Ben Stong, until recently a member of the committee staff, and Stewart French, who kept drafting necessary language.

I am pleased that you mentioned that so that we can compliment them, as well as your office. Your office has done great work on this

matter. You have been connected with a great many administrations, and I think your work on this bill has been technically important.

Mr. STAATS. Thank you, Mr. Chairman. I would also like to pay tribute to the work of the staff of this committee. I told Ben Stong that without his efforts on this, I am sure this bill would not be as far along as it is today.

Senator ANDERSON. He kept arguing with people until they gave in. It is a very fine piece of work.

I believe everyone in the country did show a fine degree of tolerance to give the bill such great support.

Mr. STAATS. Thank you.

At this point I would like to emphasize that the plans developed by river basin commissions would be a basis for comprehensive and coordinated action. These plans would not be binding, but we would hope that they would provide useful guidance for future development. We recognize that the ultimate responsibility and authority for authorization of specific projects to carry out the recommended plans rests in the legislative bodies of the various levels of government.

S. 21 is very similar to the legislation proposed by President Kennedy in 1961. That proposed legislation was introduced in the 87th Congress as S. 2246 and H.R. 8177. Again in the 88th Congress, S. 1111 and H.R. 3620 were introduced and reflected revisions of earlier bills, including many suggestions made by representatives of the States. S. 21 is identical to S. 1111 as reported by the House Interior Committee on September 2, 1964.

There is, however, one point which I would like to call to your attention. It concerns the provision in section 102(a) on page 3 requiring the Water Resources Council to prepare a biennial assessment of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States.

The idea of a biennial assessment was contained in the recommendations of the Kerr committee in 1961 and was included in S. 1111 in the last Congress. However, recently upon reflection, we believe that some flexibility in the frequency of such assessments is desirable since such a frequent assessment may not in some cases be necessary. I recommend, therefore, that the committee consider inserting after the word "biennial" on page 3, line 16, the following: ", or at such less frequent intervals as the Council may determine."

In other words, it would be a biennial assessment, unless the Council would determine otherwise in individual cases.

I have not endeavored to outline the details of this bill in my testimony today. I know the committee is very well acquainted with them. I have, however, brought with me a brief analysis of the bill which describes its main points. It is attached to my statement. I would be glad to go over it with the committee if you wish, and, in any event, I would like to leave it with you for inclusion in the record.

On behalf of the executive branch, the Bureau of the Budget recommends that S. 21 be favorably considered. Enactment of the bill would be in accord with the President's program. Passage of this bill will be a firm, forward-looking step toward achieving the kind of cooperative and coordinated planning which we feel is vital to the proper development of the water and related land resources of this country.

Thank you very much. I will be happy to answer any questions.

Senator ANDERSON. Without objection, the analysis which was prepared will be included in the record at this point.

(The analysis referred to follows:)

ANALYSIS OF THE BILL

Outlined below is a brief description of the main aspects of the bill.

Title I would establish the Water Resources Council. The Council would be a Federal interagency council for the purposes of:

1. Maintaining a continuing study and biennial assessment of the adequacy of water supplies to meet water requirements.
2. Reviewing the plans of river basin commissions.
3. Coordinating Federal planning efforts.
4. Appraising the adequacy of existing and proposed policies and programs.
5. Making recommendations to the President with respect to Federal policies and programs.

The Council would consist of the Secretaries of the Interior, Agriculture, Army, and Health, Education, and Welfare, and the Chairman of the Federal Power Commission.

The heads of other interested agencies would, from time to time, be requested to participate with the Council as problems involving their areas of concern arose. The Council Chairman would be designated by the President. The Council would employ and maintain its own staff. It would provide an effective focal point and mechanism for coordinating the many planning activities of the several Federal agencies concerned with the conservation, development, and use of water resources.

Title II would establish river basin commissions. These commissions would be the principal agencies for the coordination of Federal, State, interstate, and local plans for the development of water and related land resources in the area or basin for which they are established. They would prepare and keep up to date, comprehensive, and coordinated plans which would include an evaluation of all reasonable alternatives for achieving optimum development of water and related land resources.

The commissions would recommend long-range schedules of priorities for basic data collection and analysis, and for the investigation, planning, and construction of water resources projects. They would submit annual reports to the Council, the Governors of participating States, the President, and the Congress on their activities.

The commissions would be composed of Federal, State, and interstate compact members in order to bring integrated, cooperative effort to this important undertaking. They would, like the Council, maintain adequate staffs to aid them in their work.

Title III of the bill provides for financial assistance to the States for comprehensive planning grant authorizations. The purpose of these grants is to aid the States in increasing their role in planning efforts.

These grants would be administered by the Council, which would prescribe rules and procedures relating to their use. S. 21 authorizes a total of \$5 million per year for each of the 10 fiscal years following enactment of this legislation to cover the costs of the grants.

Provision is made in the bill for an equitable distribution of the grants based on a formula of population, land area, and planning and financial needs. The bill authorizes grants up to 50 percent of the cost of carrying out a given State planning program, including the cost of training personnel to carry out the program and the cost of administering it.

Title IV is a miscellaneous title which provides for authorization of appropriations necessary to carry out the provisions of the bill. Also under this title, the Council is authorized to make necessary rules and regulations to carry out the provisions of the act which are administered by it. And it is authorized to delegate its administrative functions under section 105 of the bill and the detailed administration of the grant program under title III to any member or employee of the Council. The final provision of title IV allows the Council, with departmental consent, to employ officers and employees of a given Federal agency, on a reimbursable basis, as necessary to execute the provisions of the act.

Senator ANDERSON. Mr. Staats, as you pointed out, the Senate committee took the changes made by the House committee last year and put them into its bill and introduced it this year, but there have been two new changes that have come in.

The new draft of the House bill includes a special provision which would go in on page 7, line 21, after the word "located" to say "or, in the event the Upper Colorado River Basin is involved, by at least three of the four States of Colorado, New Mexico, Utah, and Wyoming."

This has been a matter of long discussion with the commission up in our part of the country. They would like to have this language in. Do you see any objection to it?

Mr. STAATS. Mr. Chairman, this provision, as you point out, is a new one. It was not considered, I believe, last year in connection with S. 1111. We recommended in the House testimony that the provision be deleted for this reason: that we are unable to see that the situation there is so unique, or perhaps I should say that there would be any problem in that area, under the operation of the procedure by which the river basin commission would come into being, that we see the need for it.

We feel that there may be involved here a precedent which might create problems in other river basins of the country. We recognize there are some aspects of the situation there that may be unique, which may be so different from other river basins of the country as to warrant this exception, but in all frankness, we don't see that from where we sit.

If this were to be the judgment of the Congress, we would hope that there would be such clear indication from the Congress that this was a unique situation as to avoid it being created as a precedent or the rationale for similar exceptions to be made in every other river basin that might want the same procedure.

We feel that the procedure that is in the bill is a good procedure and protects the situation. But we recognize that in this particular case there may be a basis for such an exception. We don't want, in other words, to create an arrangement which would make it so difficult to bring about these commissions that we would be, in effect, rendering the bill inoperative. That is what our concern is, I think.

Senator ANDERSON. We have had a good deal of discussion of this bill in the western areas, and these four States decided they would like to have it. It has been suggested here that it be approved. Of course, we do have, we think, unique problems.

For instance, my home State of New Mexico is in both the upper basin and the lower basin as a claimant for water. They can divide the basin up in two parts, and we are in both of them. The State of Arizona, I think, is in both of them, to a slight degree. Therefore, you do have a problem that is somewhat different than the ordinary river basin.

Senator ALLOTT, have you any comments to make on this particular section?

Senator ALLOTT. Not at this moment, Mr. Chairman, but I think you know, and the committee knows, that I have a great concern for this entire bill, and always have had. The testimony of the Secretary of the Interior last year didn't dispel that concern, particularly when

there is the feeling that the basin plan concept cannot help but destroy or tend to destroy the State control over their waters.

I personally feel, and I will comment later when we have an opportunity to discuss it in the committee, that those of us in the Upper Basin States—and Colorado produces most of the water which goes into the Colorado River—are greatly concerned that ultimately, if you tie enough power into these various organizations in the basin plan concept, the wishes of the States will become meaningless. They may become meaningless with respect to the differential in population pressures.

These are the chief concerns I have with this. I am sure the Senator recognizes them.

Senator ANDERSON. I was going to ask you about this one proposal that had come from a group out there.

In general, Mr. Staats, I think I agree with the position you have taken heretofore, that this is an objectionable provision to put in all legislation, but specifically tied to the Upper Colorado Basin it might not be quite so damaging, but generally speaking, it is not a very good provision.

How about the other one that is suggested on page 2 to add—

to expand, diminish, or change in any particular the authority or responsibility of any Federal or State official or officials, elective or appointive, in the discharge of the duties of his or her office * * *.

Mr. STAATS. Mr. Chairman, we suggested in our testimony before the House that this provision also be deleted for the reason we believe it is adequately covered in sections 3(a) and 3(c) of the House bill. In other words, we believe that the Senate bill adequately protects the point which section 3(b) of the House bill is intended to cover.

We have discussed this provision with some of the agencies who would be members of this Council and they have expressed the concern that the addition of this provision on top of sections 3(a) and 3(c) of the House bill might carry a connotation which would be undesirable as perhaps providing a basis of restricting, somehow, the discretion and the role of the Water Resources Council as a council in its collective action in recommending standards and recommending basin plans.

We don't think it is necessary, and if there are these concerns in the agencies, then we would prefer to see it deleted.

Senator ANDERSON. Then I think it is your testimony that you prefer the Senate bill as introduced, rather than the House bill with the added provisions we have been discussing.

Mr. STAATS. That is correct, and we so testified before the House committee on Wednesday.

Senator ANDERSON. Senator Church?

Senator CHURCH. Mr. Chairman, in reading over section 3(a), if I am reading the right provision, which begins on page 2, line 8, the Senate bill, S. 21, as I read it—

Nothing in this Act shall be construed to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, or limit any interstate compact for the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects.

I can't see how that language could possibly be damaging, or possibly impose any limitation upon the prerogatives of the Council. It seems to me it simply states what we want, very clearly and specifically.

Mr. STAATS. I believe, Senator Church, that is our view also. As far as we can understand section 3(b) of the House bill, it is adequately covered in the Senate bill.

Senator CHURCH. I understood you to say that you thought this particular provision should come out.

Senator ANDERSON. No, I don't think that is what he meant.

Senator CHURCH. Apparently I did not follow wholly what Mr. Staats intended.

You are not, then, calling for the elimination of the language that I have just read?

Mr. STAATS. It is section 3(b) of the House bill, H.R. 1111, the deletion of which is recommended.

Senator ANDERSON. We all worked very hard on section 3(a).

Senator CHURCH. I thought so, too. I misunderstood the testimony.

Senator ANDERSON. Senator Allott?

Senator ALLOTT. I do have one question that I wish to address to the chairman, and not to Mr. Staats.

Perhaps the committee might consider in line 12 the addition of the words "or modify." To me it would mean a little bit more than it means as it is.

What would you think about that, Mr. Staats? "Nothing in this act shall be construed to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit, or modify, any interstate compact;" et cetera.

Mr. STAATS. Offhand, Senator Allott, I wouldn't see any difficulty with that. I believe that is certainly the intent here.

Senator ALLOTT. I think that is the intent. But displacement of a compact is one thing; superseding is another. "Limit" might carry some of the connotations that the word "modify" does, but not all of them. I just would like to make it perfectly clear as to what we intend.

Senator ANDERSON. May I say to the Senator from Colorado that I believe my name is on the original document, and I would not object the word "modify." I think "modify" would be a desirable addition.

Senator ALLOTT. I think that is all I have at the moment, Mr. Chairman.

Senator ANDERSON. Senator Burdick?

Senator BURDICK. No questions.

Senator ANDERSON. Senator Jordan?

Senator JORDAN. No questions.

Senator ANDERSON. Thank you, Mr. Staats. We appreciate your testimony very much. We particularly appreciate the fact that you made it reasonably short and did not try to do the whole job all over again. You have done a fine job and we are grateful to you.

Mr. STAATS. I always appreciate a short hearing myself. Thank you.

Senator ANDERSON. Are there other witnesses?

Is Mr. Wilm here?

Mr. WILM. Yes, just as a visitor.

Senator ANDERSON. Would you wish this statement placed in the record?

Mr. WILM. Yes, sir.

Senator ANDERSON. The Council of State Governments has been extremely helpful on this matter. They have been very cooperative.

This statement, without objection, will also be placed in the record at this point.

I will also place in the record at this point a statement from the National Reclamation Association.

(The statements referred to follow:)

STATEMENT OF HAROLD G. WILM, COMMISSIONER, DEPARTMENT OF CONSERVATION,
STATE OF NEW YORK, AND CHAIRMAN, INTERSTATE CONFERENCE ON WATER
PROBLEMS

Mr. Chairman, we are pleased to have this opportunity to present the views of the Interstate Conference on Water Problems on S. 21.

The Interstate Conference on Water Problems, associated with the Council of State Governments, is an organization of State officials concerned with all phases of water resources administration. During its comparatively few years of existence—the conference was organized in 1958—it has considered such subjects as strengthening State water resources agencies, research and data gathering, recreational use of water, water pollution control, water rights, and other subjects of major interest. The first official conference action with respect to coordination of Federal and State water resources planning was taken in 1960, following the introduction of H.R. 3704 by Mr. Aspinall. Conference interest and action quickened when, in 1961, H.R. 8177 and S. 2246 were introduced.

A strenuous—and I believe I can say successful—effort was made to obtain consensus of views of State officials with respect to the proposed legislation. Through the use of an extensive questionnaire, meetings and conferences and correspondence, views of State officials—Governors, legislators, attorneys general, and water resources agency administrators—were obtained. During and subsequent to the completion of this step, many meetings were held with staff representatives of the Senate and House Committees on Interior and Insular Affairs and with representatives of the executive branch. Finally, early in 1963, bills were introduced in both Houses which represented the culmination of this intensive consultation. One of these bills, S. 1111, was passed by the Senate and reported by the House Committee on Interior and Insular Affairs.

The current bill is identical to the one reported in the last Congress by the House committee. We support it wholeheartedly. We believe in its objective, to insure that “* * * conservation, development and utilization of the water and related land resources of the United States shall be planned on a comprehensive and coordinated basis with the cooperation of all affected Federal agencies, States, local governments, and others concerned.”

Mr. Chairman, title II is that portion of the bill that concerns the States most directly and significantly. In its every provision it recognizes that river-basin planning must be Federal-State in character. In the establishment of a commission, both levels of government must act. Membership on a commission would include representatives of Federal agencies, basin States and, where appropriate, interstate agencies and international commissions. Such members would be appointed by, responsible to and compensated by their respective jurisdictions and agencies. Commission expenses would be shared by the Federal Government and the participating States. Finally, in the work of the commission, there would be consultation with the respective agencies and jurisdictions, including both the policymaking branches at the Federal and State levels from inception, through review to submission of a final plan.

It is well that so much care and consideration have been given by this committee to the Federal-State concept for river-basin commissions. Such commissions will have to perform difficult, complex and important tasks. They will have to try to reach decisions representing substantial agreement among the participants concerning the development and management of water and land resources of a river basin, a group of river basins or an area. Of necessity, compromises will have to be worked out at times if a plan is to point the way

toward the attainment of a number of important and sometimes conflicting objectives. We believe strongly, therefore, in the proposition that a commission should strive to " * * * arrive at a consensus of all members on all issues ; * * * "

As we envision a plan—or a major portion or revision of the plan—it might be one on which complete agreement has been achieved. On the other hand, a plan might include certain elements on which there was lack of agreement. In the latter case, the alternatives would be presented to the policymaking branches of the Federal Government and the States. The resolution of such differences as there might be—indeed the acceptance, modification, or rejection of all elements of the plan—would then be placed squarely before those whose responsibility it is to determine policy—the President and the Congress, the Governors and the State legislatures.

The Interstate Conference on Water Problems, in a sense, is an interested bystander with respect to title I. Surely we should be "carrying coals to Newcastle" if we sought to persuade you how significant Federal responsibilities are in the field of water resources and how helpful it would be if there were improved coordination in planning among the several Federal agencies active in this field. Yet we are interested and we do support the establishment of the Water Resources Council. Our interest is direct at least to the extent that we believe coordination of planning among Federal departments and agencies at the highest level will promote coordination of planning by their representatives on river basin commissions and facilitate the reaching of agreement among Federal and State members of such commissions.

As to title III, the interstate conference testified in favor of its enactment in 1961 when it was the subject of a separate bill. We recognize that in itself title III would not relieve the States of the necessity to increase further the quantity and quality of their comprehensive water resources planning efforts. Title III funds, however, would encourage and lend direction to such efforts.

Mr. Chairman, earlier in this statement I remarked that I believed a successful effort had been made to obtain a consensus of State views on this legislation. The record made in the last Congress discloses that the bill enjoyed the active support of officials of 41 States, of the Governors' conference, of the National Association of Attorneys General, the Interstate Conference on Water Problems, the Council of State Governments, and the Great Lakes Commission. In my experience, no other piece of legislation of comparable significance and complexity has enjoyed such widespread support from State officials.

We believe strongly in this legislation. We know it not to be a panacea—section 3 defines very well what it is not intended to do. It is, however, an enabling act to permit the relevant Federal agencies and the States to expedite the production of comprehensive, coordinated plans for the conservation, development, and utilization of the water and related land resources of the Nation. Its enactment will add another chapter to the proud record of the previous Congress in water and other natural resources legislation.

Attached is a copy of the resolution passed by the interstate conference at its 1964 annual meeting indicating our continued support for this legislation.

**RESOLUTION ADOPTED BY THE INTERSTATE CONFERENCE ON WATER PROBLEMS,
SEVENTH ANNUAL MEETING, DECEMBER 7-8, 1964, DENVER, COLO.**

COMPREHENSIVE WATER AND RELATED LAND RESOURCES PLANNING

Whereas the 88th Congress considered S. 1111, a bill in whose development the States and the Interstate Conference on Water Problems played a leading part; and

Whereas enactment of the legislation represented in the 88th Congress by S. 1111 is essential to proper Federal-State cooperation in comprehensive water and related land resources planning; and

Whereas either the version of S. 1111 passed by the Senate or that reported from the House Committee on Interior and Insular Affairs would fulfill the objectives which the conference has consistently supported: Now, therefore, be it

Resolved by the Interstate Conference on Water Problems, That the Congress is urged to give favorable consideration to the water and related land resources planning legislation previously known as S. 1111; and be it further

Resolved, That the conference continue to work actively for the passage of this legislation and its implementation.

STATEMENT OF WILLIAM E. WELSH, EXECUTIVE DIRECTOR, NATIONAL RECLAMATION ASSOCIATION

My name is William E. Welsh. I am executive director of the National Reclamation Association.

On September 12, 1963, I was privileged to present a statement before this committee relating to the bill, S. 1111 (Anderson and others). Embodied within my statement at that time was a statement which had been prepared by two members of a special NRA committee, including Ival V. Goslin and Jay R. Bingham.

This same committee subsequently concluded that the bill, S. 1111, as reported and passed by the Senate was an improvement over the original bill.

I would like to emphasize, however, that the provision in which we are especially interested is to be found in title II of the bill relating to the conditions which must prevail before the President is authorized to declare the establishment of a river basin water and related land resources commission.

Because of certain conditions which prevail within the Colorado River Basin, we believe it is important that there should be concurrence by a majority of the States within the Upper Colorado River Basin before a river basin commission could be established within that area.

We have gone over very carefully the language relating to this matter in the bill now pending before the House, and our committee is very much inclined to favor that language which reads as follows:

"TITLE II—RIVER BASIN COMMISSIONS

"CREATION OF COMMISSIONS

"SEC. 201. (e) The President is authorized to declare the establishment of a river basin water and related land resources commission upon request therefor by the Council, or request addressed to the Council by a State within which all or part of the basin or basins concerned are located if the request by the Council or by a State (1) defines the area, river basin, or group of related river basins for which a commission is requested (2) is made in writing by the Governor or in such manner as State law may provide, or by the Council, and (3) is concurred in by the Council and by not less than one-half of the States within which portions of the basin or basins concerned are located, or, in the event the Upper Colorado River Basin is involved, by at least three of the four States of Colorado, New Mexico, Utah, and Wyoming. Such concurrences shall be in writing."

Quoting again from the special NRA committee report, that committee said: "For many years the National Reclamation Association has recognized the need for legislation of the type embodied in the provisions of S. 1111. At many of our national conventions, our association has adopted strong resolutions favoring the comprehensive, basinwide planning and development of the water resources of the 17 western reclamation States." * * *

"The fundamental philosophy underlying S. 1111 is to provide a practicable solution to the problems associated with Federal, State, and local relationships in the field of water resources planning. S. 1111 would be a major step in more effectively utilizing the interrelated activities of the various Federal departments. We believe that one of the most meritorious aspects of this proposed legislation is that it recognizes that the Federal, State, and local governments are all in the picture so far as water resources planning and development are concerned."

The NRA Committee in its report pointed out that it had "solicited from the membership of the association comments and recommendations, and had worked closely with staff members of the Senate Interior and Insular Affairs Committee, the Council of State Governments' Interstate Committee on Water Problems."

Thank you very much indeed, Mr. Chairman, for the privilege of submitting this statement on behalf of legislation pending before your committee.

Senator ANDERSON. I also wish to place into the record a letter received from our colleague, the Honorable Hiram L. Fong, senior Senator from the State of Hawaii.

(The letter referred to follows:)

U.S. SENATE, February 5, 1965.

HON. CLINTON P. ANDERSON,

Chairman, Subcommittee on Irrigation and Reclamation, Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is to express my endorsement of S. 21, a bill to provide for the optimum development of the Nation's water and related land resources.

I supported the legislation in the last Congress as S. 1111, the "Water Resources Planning Act."

The State of Hawaii is particularly interested in title III of S. 21, relating to financial assistance to the States for comprehensive planning.

The background and reasons for Hawaii's support of the bill have been set forth as follows by Mr. Robert T. Chuck, manager-engineer, Division of Water and Land Development, Department of Land and Natural Resources, State of Hawaii:

"The State of Hawaii has only in recent years had a State agency responsible for water resources planning and development. In 1957, while Hawaii was not yet a State, the territorial legislature expanded the scope of work of the Hawaii Irrigation Authority and created the Hawaii Water Authority as the agency responsible for overall water resources planning in Hawaii. Then, with the advent of statehood in 1959, the Hawaii Water Authority was placed within the department of land and natural resources as the division of water and land development.

"The State of Hawaii needs to develop long-range, comprehensive water resources plans. In the past, we have done our planning and developing mostly on an as-needed basis and this patchwork approach has resulted, in some cases, in an undesirable leapfrogging type of development. It is the aim of the State to develop a comprehensive water development plan for each of its counties. To date, some progress has been made toward this end, but because of financial limitations our goal of having a plan for each county has not been realized."

Under the provisions of title III of S. 21, \$5 million would be authorized to be appropriated for the next fiscal year beginning after the date of enactment of the legislation, and for the 9 succeeding fiscal years thereafter, for grants to States to assist them in developing and participating in the development of comprehensive water and related land resources plans.

There is a definite need for this type of aid in Hawaii.

Therefore, I strongly urge passage of S. 21.

Sincerely yours,

HIRAM L. FONG.

Senator ANDERSON. We also have a statement from our colleague, Senator Lee Metcalf, junior Senator from the State of Montana, for inclusion at this point.

(The statement referred to follows:)

STATEMENT OF HON. LEE METCALF, A U.S. SENATOR FROM THE STATE OF MONTANA

Mr. Chairman, I appreciate this opportunity to support S. 21, the Water Resources Planning Act of 1965. As a cosponsor, it is my firm belief that if our Nation and our individual States are to fulfill their respective responsibilities to their citizens we must provide a vehicle for meeting the rapidly expanding demands for water throughout the Nation. We must encourage the wise management, orderly development, and highest possible use of our water and related land resources.

To do so requires two things—study and planning. In the 88th Congress, we took the first step toward meeting this need with passage of legislation establishing the Office of Water Resources Research in the Department of the Interior. Through this Office, colleges and universities across our Nation are able to advance water resources studies.

S. 21 is another step toward our goal of full development with maximum benefits. This is of particular importance to the people of Montana which lies, for the most part, in two great river drainages, the Columbia and the Missouri. Nearly two-thirds of Montana is in the Missouri River Basin, one of five major

basins in the Nation where there will be a water shortage by 1980, according to a January 1961 report by the Senate Select Committee on National Water Resources. Such a shortage would limit growth and development of Montana, our region, and the Nation.

We all recognize the need for conservation and preservation of our precious water resources. If we did not, we would not have authorized the legislation which began the water resources research activity.

But research without planning is of little value. New methods, improved methods of utilizing our water resources are being developed. With planning we will be able to take advantage of the best of these new or better ideas and put them to work for us and future generations.

Planning must span a great many interests—individual, corporate, and public. This requires cooperation; a coordinated effort on the part of Federal agencies, States, local governments, and others that can best—in fact, only—be accomplished through the Water Resources Council that would be established under S. 21.

The idea of Federal-State cooperation in river basin planning and development is desirable. Success of the proposed program of course would depend on the way in which both levels of government meet their responsibilities. But by having an active role in the planning process, the States would have an added incentive to undertake development and construction projects contained in plans developed by the basin commissions.

The bill recognizes the need for increased participation by States in water and related land resources planning. It provides \$5 million in each of 9 succeeding years for grants to States to assist them in developing and participating in the development of comprehensive water and related land resources plans. State programs—such as those for flood plain zoning, pollution control, recreation, fish and wildlife conservation, and forestry, as well as local programs for recreation, water supply, and sewage treatment—affect water resources development as do Federal programs. In fact, local and State programs could have significant impact on the programs at other levels.

Recognition of the needs of the States goes even further. It is left to the States to determine their own representation on the various agencies and commissions and on the Council itself. Our bill provides for State consideration and expression on any proposals for development and for presentation and report of individual views whenever it is impossible to achieve a consensus.

It is essential that the States within a river basin and the Federal Government be fully involved in the planning process. As I noted, Montana faces a crisis. We may be able to delay it for a time with temporary expedients including expanded use of ground water. But the long-term economic growth—the future—of Montana, of all the upper Missouri River Basin, depends on the full development and use of available water until some sort of scientific development can bring us relief. Of necessity, we must cooperate with the Federal Government and our sister States to achieve this full development. Increased State participation, made possible by this bill, will help us reach that goal.

This measure is the product of many years of study, discussion, research, and modification, until it became a proposal that best meets the requirements of all. Under the Water Resources Planning Act we would have an agency for cooperative planning on utilization of our water resources. It is our hope that through the proposed legislation we will devise the best possible method of development and we will then go forward with any needed construction on the same partnership basis as was used in the planning.

However, it will not stop there—that is only the beginning. This planning act also will provide the means whereby we can maintain a continuing study of the adequacy of water supplies in the various regions, and in relation to the national interest. We will be able to appraise the adequacy of existing and proposed policies and suggest improvements, particularly with regard to use of water and land resources in the area involved, as it affects development of agricultural, urban, energy, industrial, recreational, fish and wildlife, and other resources.

Mr. Chairman, we seek a new facility for compromise from which will emerge a partnership of interest—public and private—in building toward our Nation's economic and social goals.

Senator ANDERSON. Several other communications are either in hand or it has been indicated that they will be submitted. They will all be inserted at this point.

(The documents referred to follow :)

STATEMENT OF IVAL V. GOSLIN, EXECUTIVE DIRECTOR, UPPER COLORADO RIVER
COMMISSION

The title of S. 21 describes the purpose of the proposed legislation by saying that it is a bill to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning. Thus, the intent of S. 21 is to provide congressionally approved administrative policy and operative machinery to implement a comprehensive basin-wide concept of planning the development of our Nation's water and related land resources.

The idea of comprehensive river basin planning is not new. This concept was recognized early by those interested in the conservation and utilization of our natural resources as a method that would provide the optimum in benefits to the most people for the longest time. The first official expression of this idea in the United States has probably been lost in the Nations' early history. During the past 50 years many economic and social forces related to a rapidly increasing population and high standards of living have caused our planners to look again and again at the manner in which we are utilizing our resources in order to devise ways of deriving optimum benefits therefrom, and at the same time enhancing their conservation.

The more recent incentives for comprehensive basin-wide water resources planning legislation have undoubtedly sprung from the seeds planted by the Hoover Commission Report, which in 1955 proposed the creation of a water resources board to establish basin commissions to represent Federal, State, and private interests; the report of the U.S. Senate Select Committee on National Water Resources in 1961; various studies and reports of the Federal and State governments directly concerned with water conservation projects; the recent lawsuit, *Arizona v. California*, which gave impetus to the Pacific Southwest Water Plan; activities of many national and State organizations; and the general public's growing awareness of the seriousness of water problems—locally, statewide, and nationally.

Bills antecedent to S. 21 include the following :

(a) H.R. 3704 (Aspinall) of the 86th Congress, which, had it been enacted, would have authorized the establishment of water resources commissions.

(b) H.R. 2202 (Aspinall) and H.R. 2287 (Saylor) of the 87th Congress were reintroduced versions of H.R. 3704.

(c) A draft bill prepared during the Eisenhower administration and transmitted to the Congress in January 1961 by the Director of the Bureau of the Budget would have established regional or river basin water resources commissions. This draft bill evolved into title I of the presently proposed Water Resources Planning Act of S. 21.

(d) S. 1778 (Kerr and Case) of the 87th Congress would have authorized a presidentially appointed water resources planning board and \$5 million per year for grants to States for 10 years to assist them in developing plans.

(e) S. 1629 (Anderson and 15 Senators) of the 87th Congress would have authorized \$5 million per year for 10 years as grants to the States to assist them in planning. S. 1629 and S. 1778 were predecessors to title III of the present version of the proposed legislation.

(f) S. 2246 (Anderson) and H.R. 8177 (Aspinall), the proposed Water Resources Planning Act of 1961, were sent to Congress by President Kennedy and introduced by the sponsors in July 1961.

(g) S. 1111 (Anderson) and H.R. 3620 (O'Brien) of the 88th Congress are the direct antecedents of S. 21; although there have been certain revisions. S. 1111 was passed by the Senate on December 4, 1963. It was reported on September 2, 1964, with amendments by the House Committee on Interior and Insular Affairs.

From this brief summary of recent background it is reasonable to conclude that S. 21 has evolved as a bipartisan proposal. Furthermore, the legislation has had nationwide support. According to the Senate committee report on S. 1111 of the 88th Congress, officials of 33 States supported the bill, six others gave it qualified endorsements, three opposed it, and eight States did not comment. The proposed Water Resources Planning Act would be for all 50 States, plus Puerto Rico, District of Columbia, and the Virgin Islands—not for the

Western States alone. It is needed in some areas to a greater degree than in others.

As pointed out by the Senate Select Committee on National Water Resources, in spite of all the steps that have been taken in the past at the National, State, and local levels to improve water resources planning, there is still much to be desired. State and local agencies still play minor roles in many important water resource decisions. Many States have poor organizations for long-range planning, and their water resources agencies lack financial support. Some States even appear to lack the proper agencies to effectively do their share in the overall planning job. In many instances initiative in planning rests with the Federal agencies. States and local governments are often in a position of having to approve or reject plans without having made adequate studies necessary for major decisions in the field of water resources.

Lack of organization, etc., are not true in all instances. For example, many of the States in the West are keenly aware of their water problems and are striving actively to improve their planning procedures.

S. 21 seems to be soundly predicated upon the idea that a major improvement in State participation can be fostered by making Federal funds available to the States for a limited period of years to assist them in participating and developing comprehensive river basin plans. Perhaps S. 21 should be regarded as a medium through which States may be able to stimulate their own people and their own agencies to participate more vigorously in planning. A comparable precedent in this regard can be observed in the results that have been achieved under the Water Pollution Control Act of 1956, which provides for similar grants-in-aid to the States for their participation in public health programs—or in the field of urban planning under the Housing Act of 1954. In almost every State utilizing these programs grants have been helpful in stimulating State agencies to the point where they have been able to command increasing State financial support. One of the most meritorious aspects of S. 21 is that it recognizes that Federal, State, and local governments will all participate so far as water resources planning is concerned. S. 21 should also be a major step in more effectively utilizing the interrelated activities of the various Federal departments. The proposed legislation does not affect the issue of Federal versus State rights, responsibilities, or prerogatives with regard to water. It is intended to permit comprehensive river basin planning without affecting the States' water rights issue. A great deal of the basis of the argument against previous draft bills concerning Federal domination of the river basin planning commissions has been eliminated from S. 21. For this reason S. 21 provides for Federal-State cooperation in planning to a much greater degree than any former similar legislation.

The Senate, before passing S. 1111 of the 88th Congress in 1963 added a proviso as follows:

"Provided, That for the purposes of this Act wherever a river basin has been divided into subbasins by an Act of Congress or by an interstate compact to which the consent of Congress has been given, each subbasin shall be treated as a separate basin."

The Upper Colorado River Commission, representing the States of Colorado, New Mexico, Utah, and Wyoming in matters pertaining to the Upper Colorado River Basin, endorsed the above proviso. The overall conditions in the Colorado River Basin are unique when compared with other river basins in the Nation. An interstate compact has apportioned the water of the river system between two subbasins (upper basin, and lower basin) in such a manner that each subbasin, for all practical purposes, is a river basin within itself. Physical, geographical, and hydrologic conditions within the Colorado River Basin also effectively divide that basin into the two subbasins so far as water resources planning and development are concerned. In addition, another interstate compact, the Upper Colorado River Basin compact, has apportioned the water allocated to the upper basin by the Colorado River compact among the States of the upper basin and established the Upper Colorado River Commission as an administrative agency. This commission, in cooperation with Federal agencies, has played a major role in planning the development of the water resources of the four States of the upper basin. Furthermore, the Congress when it enacted the Colorado River Storage Project Act of 1956, one of the Nation's major water resources development plans, recognized that political and physical conditions effectively divided the basin into the two subbasins mentioned. Coordinated river basin planning, such as that contemplated under S. 21, should recognize the specific terms of existing compacts which have subdivided the Colorado River

Basin into subbasins. Both of the compacts mentioned above have had consent of the Congress. Because of dangers inherent in superior political power in one subbasin it is believed that the preservation of these compact-created subbasins, each with its own peculiar problems, would be essential for a practicable administration of water resources planning procedures.

In the 2d session of the 88th Congress the House Committee on Interior and Insular Affairs reported S. 1111 after deleting the desired proviso from the Senate-passed bill. The House committee interpreted the proviso as forbidding the establishment of planning commissions covering a broader area than a subbasin in certain cases. The subcommittee evidently believed that if this were true it would forestall the preparation of plans covering a group of related subbasins or basins, that it was too restrictive, and was inconsistent with other language authorizing the establishment of a commission for a "group of related river basins."

On November 5, 1964, the Upper Colorado River Commission reaffirmed its position that a Water Resources Planning Act should contain language similar to that of the proviso in section 201(a) of S. 1111 as passed by the Senate in the 88th Congress. I am sure that it is not the intention to make this proviso applicable to basins other than the Colorado River Basin with its unique legal and physical divisions into two compact-created subbasins, especially if other river basins do not want such a proviso; nor is it the intention to preclude the preparation of comprehensive plans covering a group of related subbasins or basins, because it is generally recognized that to resolve the water deficiency problems of the Colorado River Basin it is going to be necessary to develop and effectuate plans involving adjacent river basins. It is believed that some type of legislative recognition is necessary in order to preserve the independence of the water resource planning in the upper basin of the Colorado River, whose past, currently authorized, and presently planned development constitutes less than half of its legal entitlement, from that of the lower basin with its superior political power and the major portion of its compact-apportioned Colorado River water already in use. Such legislative recognition in the Water Resources Planning Act would certainly be in accordance with the Boulder Canyon Project Act, Boulder Canyon Project Adjustment Act, and the U.S. Supreme Court decision in *Arizona v. California*, documents that are unique to the lower basin; with the Upper Colorado River Basin compact, and Colorado River Storage Project Act, that are pertinent to the upper basin; and with the Colorado River compact and Mexican Water Treaty, the terms of which involve both subbasins.

The proviso from S. 1111, as passed by the Senate in the 88th Congress and that preserves the planning identity and independence of the upper basin, can be reworded to apply only to the Colorado River Basin with the understanding that plans for both subbasins could be integrated into a comprehensive plan for the entire river basin, or for two or more subbasins, or river basins, if such integration proves to be desirable or necessary. It is apparent that some of the objections to the proviso may have been raised by those who do not have a full understanding of the physical, geographic, hydrologic and political problems that have been encountered in bringing the development of the upper basin to its present status; furthermore, the possibilities for future dilemmas and controversies may not be fully understood. The geographical area of either the upper or lower basins of the Colorado River is of sufficient magnitude to justify a separate river basin commission for each, with the understanding that the plans could be integrated into a master plan for the entire basin and with adjacent basins. Physical, hydrologic, economic and cultural conditions in the two subbasins are sufficiently different to warrant keeping separate the identity and independence of planning activities. The present relative status of water resource development in the two subbasins and the anticipated rate of development of the remaining resource lead one to the same conclusion. The language of the Senate bill of the 88th Congress is fair to both the upper and lower basins.

In order to make the language of the current bill S. 21 applicable to the Colorado River Basin exclusively, the following proviso is suggested:

"Provided, That the Upper Basin and the Lower Basin of the Colorado River Basin shall each be treated as a separate basin for the purposes of this Act."

Viewing the water resource problems of the Nation as a whole the general terms of the proposed Water Resources Planning Act are regarded as constructive and desirable legislation that is needed in varying degrees in different parts of our country. It has had prolonged and serious consideration by many interested agencies and individuals as well as by the Senate and House Interior and Insular Affairs Committees.

On behalf of the Upper Colorado River Commission and myself personally, thanks for the opportunity to present this statement and the views contained herein.

THE UTAH WATER & POWER BOARD,
Salt Lake City, Utah, February 16, 1965.

Senator WALLACE F. BENNETT,
Senate Office Building, Washington, D.C.

DEAR SENATOR: We have studied the new versions of the Water Resources Planning Act (S. 21 and H.R. 1111). It continues to be the position of the board that the purposes of this legislation are desirable but safeguards should be provided that will assure the autonomy of the Upper Colorado River Commission and also protect the compact commitments arrived at on the Colorado River.

Accordingly, it is the board's recommendation, which we believe has the support of Governor Rampton, that S. 21 and H.R. 1111, be amended at section 201(a), and the following language inserted:

"Provided, That for the purposes of this Act wherever a river basin has been divided into subbasins by an Act of Congress or by an interstate compact to which the consent of Congress has been given, each subbasin shall be treated as a separate basin."

Your cooperation and help in this matter will be greatly appreciated.

Sincerely yours,

JAY R. BINGHAM, *Executive Director.*

CITIZENS COMMITTEE ON NATURAL RESOURCES,
Washington, D.C., February 5, 1965.

HON. CLINTON P. ANDERSON,
Chairman, Subcommittee on Irrigation and Reclamation, Senate Interior and Insular Affairs Committee, Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: We are pleased to reaffirm our support of S. 21, which provides for the optimum development and coordinated planning of water and related land resources.

We would be less than candid if we indicated to you that this measure fulfilled our complete hopes and aspirations, but we further contend that it is an excellent method for initiating comprehensive planning of our river basin and land related resources.

The two salient features of the measure that are most appealing to us are first the provision for financial assistance to the States which will increase their participation in such planning and, secondly the wide representation which is provided for, not only in the council but for the regional river basin commissions. While this does require a consensus of what may prove to be a widely divergent use, this is true in any event; the achievement of the proposed procedures over the present system is the opportunity for full participation by the public in determining the optimum use of these resources.

We feel this is a significant step forward and does provide the appropriate vehicle for both recognizing, as well as dealing with the broadened and complex uses of land and water.

We hope that this proposal will receive the support of the Senate at an early date. If it is possible we would appreciate these remarks being included in the record of the committee's deliberations at the appropriate point.

Cordially,

SPENCER M. SMITH, Jr., *Secretary.*

AMERICAN PUBLIC POWER ASSOCIATION,
Washington, D.C., February 9, 1965.

HON. HENRY JACKSON,
Chairman, Senate Committee on Interior and Insular Affairs, Senate Office Building, Washington, D.C.

DEAR SENATOR JACKSON: American Public Power Association would like to record its support for the Water Resources Planning Act presently under consideration by your committee. The association has long been on record for

comprehensive planning and development of the Nation's water resources, and we view enactment of S. 21 as another step toward this goal.

In past years APPA has presented testimony as to the basis for its support of similar proposals, and that testimony is a matter of public record. Suffice it to say that the association sincerely hopes that the Congress will soon enact this legislation so that: (1) the States and the Federal Government can move ahead with coordinated planning and development of the water resources of the Nation; (2) the Federal agencies involved in water resources development can more readily coordinate their activities; and (3) a basis for overall review of the Nation's water resources development can be established.

Support of S. 21, however, should not preclude establishment of a natural resources and conservation planning and coordinating unit in the Executive Office of the President, as proposed in S. 938, recently introduced by Senator McGovern and 15 other Senators.

While coordinated planning and development of the Nation's water resources is essential to the welfare of the country, it is as necessary that the broad resources picture be brought into a similar focus. The council of resources advisors, as proposed by Senator McGovern, would review the availability and requirements of all the Nation's vital resources: land, air, minerals, timber, etc.

APPA would hope that, once your committee has completed consideration of the present legislation, it would begin consideration of the bill introduced by Senator McGovern.

Sincerely,

ALEX RADIN.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS,

Washington, D.C., February 9, 1965.

HON. HENRY M. JACKSON,

Chairman, Senate Committee on Interior and Insular Affairs, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: We respectfully invite your attention to the general policy position of the Advisory Commission on Intergovernmental Relations regarding S. 21.

The program envisioned by this bill was endorsed by the Commission at its meeting on June 27-28, 1963.

In a letter dated July 2, 1963, subsequently included in the record of committee hearings, we informed you of this position. At that time we made a number of suggestions designed to strengthen the intergovernmental aspects of the proposed legislation. A number of these are included in the present bill.

At this time we would like to reemphasize the basic position stated by the Commission 2 years ago: " * * * we believe that the concept of Federal-State cooperation in river basin planning and development, as proposed in the bill, is not only desirable but consistent with sound principles of intergovernmental relations in our Federal system."

As you know, the Advisory Commission is a permanent, bipartisan body established by the Congress to give continuing study to the relationships among local, State, and National levels of government. Its members are drawn from leading officials of State, city, and county governments, the Congress and Federal executive branch, and the general public.

Accordingly, we urge your favorable consideration of S. 21 and ask that this letter be incorporated in the record of any future hearings on the measure.

Sincerely yours,

FRANK BANE, *Chairman.*

NATIONAL WILDLIFE FEDERATION,

Washington, D.C., February 2, 1965.

Senator CLINTON P. ANDERSON,

Chairman, Subcommittee on Irrigation and Reclamation, Senate Committee on Interior and Insular Affairs, Senate Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: The National Wildlife Federation is pleased at the invitation and opportunity to comment briefly upon S. 21, "To provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a

water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning." We would welcome the inclusion of this letter in the record of the current hearings.

The principal purpose of this letter is to reaffirm the support of the National Wildlife Federation for this proposal, the Water Resources Planning Act. As indicated in previous hearings, we feel that adoption of the Water Resources Planning Act is essential to orderly consideration of maximum and proper use of the vital water resources. In any such program, of course, the States should have a major role. This coordination, however, is possible only if the States are partners in planning. Many States are unable to provide the necessary financing for planning and this problem would be attacked, at least in part, through cost-sharing grants authorized in the Water Resources Planning Act.

We were disappointed that the forerunner of this proposal came so near to enactment last year, yet failed due to a lack of time. It is our hope that the subcommittee, the full committee, and the Senate may move speedily to grant approval to S. 21. We are encouraged about the speed with which the House Committee on Interior and Insular Affairs is acting on its counterpart.

Sincerely,

LOUIS S. CLAPPER,
Chief, Conservation Education.

STATEMENT OF NATIONAL ASSOCIATION OF MANUFACTURERS

This statement is presented on behalf of the National Association of Manufacturers, a voluntary organization of industrial and business firms, large and small, located in every State, which vigorously support principles that encourage industrial freedom and which through the association develop and engage in sound programs for the advancement of the economic well-being and social progress of the American people.

We are well aware of the fact that water is an essential element in the manufacturing process, and we use large quantities of it both for cooling and for processing purposes. Fortunately, industry's consumption of water is only a small percentage of the quantity which it uses, and industry is continuing to make great strides in the fields of more efficient use of water and in water quality management. In our association work, water resources matters are handled by our conservation and management of natural resources committee and by its water resources subcommittee. Our interest in water resources is evidenced by the pioneer national survey of industrial water use cosponsored by the National Association of Manufacturers and the Conservation Foundation in 1949-50. The result of this survey was the publication of the report, "Water in Industry," which revealed for the first time the salient characteristics of industrial water use in this country. This pioneer study has since been translated by other organizations into several languages and is still cited as the most authoritative work of its kind, whenever water resources matters are under discussion. We have just completed a new industrial water survey which will show trends in the 10-year period since the first survey. Preliminary data from this latest survey indicates great strides by industry in reducing the water required to be used per unit of product. This background makes it obvious that we are highly appreciative of this opportunity to comment on proposed legislation dealing with water resources planning.

We note that the bill provides for the creation of a Water Resources Council to be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission to carry out a declared policy "to encourage the conservation, development, and utilization of the water and related land resources of the United States on a comprehensive and coordinated basis with the cooperation of all affected Federal agencies, States, local governments and others concerned." There is no doubt that these five organizations should coordinate and work together in carrying out their responsibilities which affect water resources, as should the other departments and agencies of the Federal Government. However, it is questionable whether it is absolutely necessary to create a new entity in order to achieve such coordination. It is the viewpoint of our association that many of the duplications and conflicts in Federal agency policies, programs, and practices will only be overcome if the Congress itself undertakes a thorough and comprehensive revision, correlation and im-

provement of the statutes relating to natural resources. The duplication and conflicts have arisen over a long period of years as a result of the Congress delegating specific missions to various departments and agencies by individual pieces of legislation which have never been fitted into a comprehensive consistent pattern. Therefore, requiring the heads of five of the many departments of the Government to meet together as a Water Resources Council may be somewhat fruitless and frustrating so long as the underlying natural resources legislation remains in a somewhat chaotic state.

If it is decided, nevertheless, to create such an entity, we would strongly urge that, at least, the Secretary of Commerce be added to its membership. The Congress created the Commerce Department with the declared statutory purpose of fostering commerce and industry. Water resources planning and development will be a futile and costly exercise if it does not lead to sound economic development of the Nation. The importance of including the Secretary of Commerce is emphasized by the fact that the bill would require the Council to determine the effect of a river basin plan "on the achievement of other programs for the development of * * * energy, industrial * * * and other resources of the entire Nation" and to "determine the contributions which such plan * * * will make in obtaining the Nation's economic * * * goals * * *."

We also note that the Council would be charged with the duty of establishing "principles, standards and procedures for the * * * evaluation of Federal water * * * resources projects." This is a function which was for many years carried on by the Bureau of the Budget. Therefore, if it is decided to create a new entity in an effort to achieve coordinated water resources planning, we also strongly urge that the Director of the Bureau of the Budget be designated as a member of such a group.

In connection with formulating standards for the evaluation of Federal water resources projects (and we assume that this involves benefit evaluations, cost allocations, and analysis of financial feasibility), bills have in past years been introduced in both the Senate and the House for the purpose of establishing such standards by statute, and the House Public Works Committee held hearings on such a bill, H.R. 8, in 1960. It is proposed in the instant bill that the establishment of such standards be delegated by the Congress to these four Cabinet officers. However, under our constitutional division of legislative and executive powers, it would be more appropriate if the Congress itself should establish the policy and criteria under which all Federal water resources projects will be authorized and built. It would appear that the Council might have the power to alter present standards so as to lengthen the amortization period for Federal water projects; place the computation of interest costs on the basis of other than the true cost of money to the Federal Government; authorize the inclusion of features with costs exceeding benefits; alter the methods of cost allocations and thereby minimize the cost attributable to electric power; and require the inclusion of intangible or conjectural benefits in project evaluations so as to justify the construction of uneconomic projects.

In fact, the bill would authorize a very broad delegation of quasi-legislative functions without any clear policy guidelines laid down by the Congress. The Council would be directed, upon receipt of a river basin plan or a revision thereof, to "formulate such recommendations as it deems desirable in the national interest." This raises questions such as whether, if a plan called for construction of electric generating facilities or electric transmission facilities by investor-owned electric companies, the Council would have the power to recommend a change in the plan so as to specify construction of such generating or transmission facilities by the Federal Government. We strongly urge that any legislation of this type include a declaration of policy in favor of private enterprise development of natural resources so as to avoid outlays from the Public Treasury and so as to place such developments on an income-producing, taxpaying basis.

Recommendations for modifications of river basin plans might also be made by the Council which would contemplate infringements upon States rights and responsibilities in administering the water resources within their respective boundaries and infringements on private water rights as established by State authority. Therefore, we strongly urge that any legislation adopted on the subject of water resources planning should include a declaration of States water rights by the Congress which would acknowledge the authority of the States relating to the control, appropriation, use, and distribution of water within their boundaries; require that Federal agencies comply with State laws relative

to the use of water; and require that Federal agencies respect private rights to use water established by State authority, recognizing that the right to use water is a property right which should not be taken from any person without due process of law and adequate compensation.

It is unfortunate that the bill, after a policy declaration and elaborate provision for the participation of State governments in the formulation of river basin plans, apparently makes it possible, through modifications recommended by the Water Resources Council, to substitute a purely Federal judgment on every important issue involved. In this connection, it should be noted that the bill is very unclear as to when a plan finally becomes official. Does it become official only when it is approved by the Congress? Section 104 seems to indicate this. The Water Resources Council would be required to transmit the plan to the President, including recommendations. Thus, it is clear that the Council would not take the final action to make the plan official. The President would not take the final action since section 104 merely provides that the plan would be transmitted to the President "for his review and transmittal to the Congress with his recommendations in regard to authorization of Federal projects." Apparently, the President would not have a general power to make recommendations; his recommendations would only be in regard to Federal projects. Consequently, it must be concluded that the Congress must take the final action to make a plan official. Thus, despite the participation of representatives of the States, apparently the final decisions on various elements of each plan would be made through purely Federal action. We submit that, if time, money, and effort is devoted to the creation of a river basin commission on a sound basis, then its decisions as to elements of a river basin plan should be official and final. Of course, the Congress might refuse to authorize some Federal projects contemplated in the plan, but there would be nothing improper in this nor would it be necessarily fatal to the overall plan.

We note that any interstate compact agency would be entitled to appoint one member to the river basin commission and that nothing in the act shall be construed "to displace, supersede, or limit any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; * * *." We believe these provisions are highly desirable. Many thoughtful people believe that the principle of interstate compact should be encouraged in order to promote comity among the States, to preclude Federal domination of natural resources development, and to insure a sound base for basinwide multiple-purpose planning. It is the viewpoint of our association that basinwide water and related resource development for interstate rivers, planned and executed under interstate compacts which are authorized by State legislatures and consented to by Congress as provided for in the U.S. Constitution, is the most practical way to assure maximum economic and beneficial use of valuable natural resources. These interstate compacts should be designed to safeguard States water rights and provide means for solving water resources problems in a manner consistent with the interests and responsibilities of the citizens of the signatory States. Interstate compact commissions should maintain close liaison with Federal Government agencies concerned with water resources, but the compact agreements should not be such as to permit the Federal Government to dominate the actions of the commission. Participation by the Federal Government should be limited to existing powers under the interstate commerce clause.

The 1961 Governors' conference in Honolulu favorably referred to the interstate compact mechanism as "one of the oldest devices used to facilitate inter-governmental cooperation and coordination of effort." By contrast, the Newark News of July 30, 1961, reported that the New Jersey State CIO had announced opposition to the then proposed interstate compact for the Delaware River Basin, and reported the State CIO president as stating that, instead of the compact, the union would prefer something like a "little Tennessee Valley Authority" to develop the Delaware Basin. The Congress should not pass legislation which could pave the way for Federal valley authorities throughout the Nation, and we urge that any legislation on water resources planning include a declaration of policy encouraging the use of interstate compacts and rejecting the further use of Federal valley authorities.

Further, it is the viewpoint of our association that community watersheds or small drainage areas are the most feasible units for conservation, development, and wise utilization of the Nation's renewable natural resources. We advocate that local authorities and leaders define watershed problems and determine needs

by utilizing available basic information and that they obtain additional surveys where needed to define problems and develop adequate plans; that local responsibility for action be assumed by watershed associations, soil conservation districts, or other voluntary local and State groups, such responsibility giving emphasis to the rights of individuals and groups of individuals to participate in planning, developing, and maintaining their own community watershed programs; and that, after suitable and adequate community watershed planning is done, local authorities should determine and establish the kind of local organization needed to direct the operational and maintenance programs and make full coordinated use of existing public agencies, industry groups, associations, and individuals in a position to contribute to its success. We urge that the bill be amended to require that river basin commissions include in river basin plans provisions for encouraging the formation of watershed associations.

The 5 Federal officials will be given the power to sit in judgment on the water resources planning programs of each of the 50 States. Such State programs must make "adequate provision for coordination with all Federal, State, and local agencies having responsibilities in affected fields"; must designate a State agency to administer the program; must provide that "the State agency will make such reports in such form and containing such information as the Council from time to time reasonably requires"; must set forth "the procedure to be followed in carrying out the State program and in administering such program"; and must provide "such accounting, budgeting, and other fiscal methods and procedures as are necessary for the proper and efficient administration of the program." These provisions are in sharp contrast to the philosophy expressed in the resolution adopted by the 1961 Governors' conference in Honolulu, in which a strong protest was made against "the tendency of Federal agencies to dictate the organizational form and structure through which the States carry our federally supported programs." The action in the Governors' conference, entitled "Resolution on Federal Interference in State Government Organization," called for an investigation of "the matter of Federal statutory and administrative requirements dealing with State organization under the various Federal grant-in-aid programs." It recited that "Federal control is exercised by the threat, express or implied, that if any State agency does not conform to the recommendations of the Federal agency, Federal aid and assistance shall be withdrawn and terminated * * *." The threat is clearly expressed in the bill. If the Council is not satisfied that a State program or its administration complies with the requirements set forth, "it shall make no further payments to such State under this title." The Congress should not enact legislation which could be used to coerce the States into a nationalized pattern of water resources policy.

It is noted that the grant-in-aid program would be 10 years in duration. We believe that, if it is decided to inaugurate a grant-in-aid program in this field (and we see no necessity for it), such a program should be limited to no longer than 5 years in accordance with the recommendations of the Advisory Commission on Intergovernmental Relations. This permanent Commission was created by Public Law 86-330 and is composed of representatives of the Federal, State, and local governments with the purpose, among others, to "provide a forum for discussing the administration and coordination of Federal grants and other programs requiring intergovernmental cooperation," to "give critical attention to the conditions and controls involved in the administration of Federal grant programs," and to "make available technical assistance to the executive and legislative branches of the Federal Government in the review of proposed legislation to determine its overall effect on the Federal system."

In its report on "Periodic Congressional Reassessment of Federal Grants-in-Aid to States and Local Governments," dated June 1961, the Commission studied the problem relating "to the difficulty encountered in terminating financial grants-in-aid from the National Government to the States and their political subdivisions, once the basic purpose of the grant has been essentially achieved, and comparable difficulties in redirecting the grant in order to reflect changed conditions." On page 27 of the report, the Commission recommends 5 years "as a maximum period beyond which no grant should continue without reappraisal and reenactment if such is in order." The Commission specifically recommends that the authorization for any new grant should expire on June 30 of the fifth calendar year beginning after such authorization unless an earlier date is otherwise specifically provided by law. The provisions of the various bills authorizing a grant-in-aid program for longer periods completely ignore this wise counsel from a distinguished Commission established by the Congress.

It is also noted that the Water Resources Council would be authorized to hire personnel, and to purchase, hire, operate, and maintain passenger motor vehicles. Likewise, each river basin commission would be granted similar powers in regard to personnel and motor vehicles. Of course, as far as the five specified organizations of the Federal Government are concerned, to a great extent under this act, they would only be doing what they should be doing anyway. It is unfortunate that this coordination and planning could not be accomplished with the use of existing facilities and personnel, rather than by the creation of further duplications. Apparently, Federal departments and agencies were able to work together in the development of a comprehensive water resources development plan for the Delaware River Basin and it is difficult to see why they could not do so in other areas without the creation of more commissions and councils, the hiring of more personnel and the expenditure of more money.

In conclusion, our general viewpoint is that there is need for greater coordination in natural resource activities among the Federal agencies themselves, and between Federal agencies and State agencies and local agencies, and that there is need for coordinated planning in the conservation and development of natural resources. However many of these objectives can be achieved through:

1. Comprehensive revision, correlation, clarification, and improvement by the Congress of statutes relating to natural resources.
2. Use of interstate compact organizations.
3. Use of watershed associations.
4. Teamwork and cooperation among Federal agencies, preferably without creation of a new entity.

Legislation on water resources planning should include:

1. A declaration of policy in favor of private enterprise development of natural resources.
2. A declaration of States' water rights.
3. A declaration of policy encouraging the use of interstate compacts and rejecting the further use of Federal valley authorities.
4. Encouragement for the formation of community watershed associations.

If it is decided to create a new entity, it should include as members the Secretary of Commerce and the Director of the Bureau of the Budget.

We appreciate this opportunity to present our views on vitally important issues.

MANUFACTURING CHEMISTS' ASSOCIATION, INC.,

Washington, D.C., February 9, 1965.

HON. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: We appreciate this opportunity to place before you our views with respect to S. 21, the Water Resources Planning Act. Since the chemical industry has such a large stake in the quality and adequacy of our Nation's water supply, the Manufacturing Chemists' Association has followed the development of this legislation with interest through three Congresses.

We made several recommendations to your committee in 1962, and made one additional suggestion to the House committee, while indicating our support for this legislation, in 1964. S. 21 is greatly improved over the original 1962 version, and we have but one suggestion to offer.

We applaud the principle of Federal-State partnership embodied in title II of the bill. In order to carry this partnership forward from the planning stage into the implementation stage of river basin development, we recommend the following brief addition to section 204(4):

"In making such recommendations, the Commission shall encourage the making of agreements and compacts between States, and between States and the Federal Government, relating to further planning and implementation of the plans. The consent of the Congress is hereby given to two or more States to negotiate and enter into agreements or compacts, not in conflict with any law or treaty of the United States, for (1) cooperative effort and mutual assistance in river basin planning and implementation thereof, and (2), the establishment of such agencies, joint or otherwise, as they may deem desirable for making effective such agreements and compacts."

The bill as it stands makes possible close cooperation among State, interstate, and Federal agencies during the planning stages of basin development. At the point of execution of the plans, however, it leaves matters scattered among the several State legislatures, the Congress, and such interstate or international agencies as may be involved. If close Federal-State cooperation is desirable at the planning stage, we feel it is even more important in the actual implementation of basin development projects. An interstate compact including the Federal Government as a partner would be a natural outgrowth of the close association generated in a river basin commission. The language recommended, modeled in part after section 2 of the Clean Air Act, enacted in 1963, and section 3 of the Federal Water Pollution Control Act of 1956, would encourage active consideration of the compact approach, which we strongly endorse.

We hope that these comments will be helpful to your committee in its consideration of S. 21, and would appreciate inclusion of this letter in the formal record of your hearings.

Sincerely,

JAMES R. CARNES,
Director of Government Relations.

NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS,
Washington, D.C., February 8, 1965.

HON. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.*

DEAR SENATOR JACKSON: It is indeed gratifying to the 64,000-member National Society of Professional Engineers that the Congress is giving serious consideration to a number of needed legislative proposals regarding the Nation's water resources.

One of the more important items presently pending before your committee is the Water Resources Planning Act (S. 21). During committee consideration of a predecessor bill in the 87th Congress (S. 2246), the National Society of Professional Engineers submitted a statement which said, in part:

"* * * An examination of all of these studies and recommendations would show that all were generally agreed that more effective coordination (of water resources planning) was necessary, that stronger participation by the State and local governments was desirable, and that all water resources developments should be planned with full appreciation of their relationship and impact to all parts of the pertinent river basins.

"Such an examination would also show that for over a half a century, while every student has been aware of the major problems and needs, each group has had its own thoughts on just what kind of organization might best accomplish the objective and what means might be developed to stimulate participation at all levels of government. If we continue to emphasize the difference in approach and insist upon pride of authorship, we can continue to gather more reports for our libraries which will only support what we already know. Insistence that our differences shall prevail can only do the whole people a disservice and jeopardize the national economy by failing to foster sound management and control of our water resources."

The national society urges that every effort be made to bring the Water Resources Planning Act up for final congressional action this year. In addition, the society pledges its full cooperation to you and the members of the committee in seeking adoption and implementation of the very vital provisions contained in this most significant piece of legislation, which largely removes the objections expressed by members of the society concerning previous proposals.

It is believed that one relatively noncontroversial amendment to the present bill would serve to obviate any reservations which have been expressed. The suggested change is that the proposed Water Resources Council be strengthened by adding public representatives equal in number to the Federal representatives.

With the foregoing change, the National Society of Professional Engineers endorses enactment of the Water Resources Planning Act (S. 21). If the society may be of assistance to you and the committee in any way in connection with the bill, or other considerations involving professional engineering aspects, we would be pleased to be of service.

It would be appreciated if this letter were included in the record of committee hearings on the bill.

Very truly yours,

PAUL H. ROBBINS, P.E., *Executive Director.*

Senator ANDERSON. If there is nothing further, that will conclude the hearing.

(Whereupon, at 11:42 a.m. the subcommittee adjourned, to reconvene at the call of the chairman.)

APPENDIX

The following excerpt from the Senate report of November 26, 1963, on S. 1111, 88th Congress, was ordered printed for the information of the Senate:

BACKGROUND

The Senate Select Committee on National Water Resources, in a notable report published January 30, 1961, found that six types of water problems confront various areas of the Nation: supply, distribution, natural quality, pollution, variability, and floods.

It found that five major regions in the Nation will have inadequate water supply in 1980 to meet anticipated increases in population and economic activity even with full development:

1. South Pacific.
2. Colorado River Basin.
3. Great Basin (Utah-Nevada-California).
4. Upper Rio Grande-Pecos.
5. Upper Missouri River Basin.

By the year 2000 it foresaw supply shortages also in the Upper Arkansas-Red River Basins, the Western Great Lakes States, and the Louisiana-Texas western gulf area.

Other major areas of the Nation, the committee found, would have adequate usable water only if they invest billions in pollution control, recycling, storage reservoirs to level out variable seasonal flows, and established more efficient management practices.

The whole great industrial area of the United States from Boston south to Norfolk, Va., and then sweeping west in a great band to Kansas City and Sioux Falls, S. Dak., was found to be in the latter category.

The Senate select committee made five major recommendations. Shortened, they were:

1. The Federal Government, in cooperation with the States, should prepare and keep up to date plans for comprehensive water development and management for all major river basins in the United States * * *.

2. The Federal Government should stimulate more active participation by States in planning and undertaking water development and management activities by setting up a 10-year program of grants to the States for water resources planning. A minimum of \$5 million should be made available annually for matching by States * * *.

3. The Federal Government should undertake a coordinated scientific research program on water * * *.

4. The Federal Government should prepare biennially an assessment of the water supply-demand outlook for each of the water resource regions of the United States * * *.

5. The Federal Government in cooperation with the States should take * * * steps to encourage efficiency in water development and use * * *.

The U.S. Senate has acted to implement the third recommendation by the passage of S. 2, the Water Resources Research Act, now under active consideration by the House committee [Public Law 88-379].

S. 1111 is intended to implement the remaining recommendations.

President John F. Kennedy, on July 13, 1961, transmitted to Congress the original river basin planning bill, which became S. 2246 of the 87th Congress. Its objectives, to provide for development of comprehensive river basin plans, biennial assessments of regional water needs and supplies, aid to the States, and encouragement of more efficient water development, management, and use, were the same as the objectives in the pending bill, as was much of the language.

Title I of President Kennedy's bill provided for a Federal Water Resources Council, giving it responsibility for the biennial water surveys, stimulation of river basin planning, and administration of aid to the States.

Title II of President Kennedy's bill provided for the establishment of river basin planning commissions, including representatives of the States, whose members would all, however, be appointed by the President. The title was nearly identical to a river basin planning commission act submitted to Congress January 16, 1961, by the preceding national administration.

Title III of President Kennedy's bill provided for \$5 million aid to States each year for 10 years for water resources planning, as proposed in bills then pending in Congress by Senator Robert Kerr, chairman of the select committee, and Senator Clinton P. Anderson, a committee member.

Hearings on S. 2246 were held jointly in 1961 by the Senate Interior and Insular Affairs Committee and the Senate Committee on Public Works.

Representatives of the Interstate Conference on Water Problems and many others opposed portions of the bill, urging that it include a recognition of "primary" interest on the part of the States in water resources, and that the States appoint and compensate their own representatives on any basin commissions which might be created, giving the States full and direct representation and participation as autonomous units of government.

A second hearing was conducted by the Committee on Interior and Insular Affairs in 1962 to receive the detailed views of States presented by the Interstate Conference on Water Problems and other witnesses.

Throughout the fall and winter of 1962-63, representatives of the Interior Committee, the interstate conference, and other interested organizations conferred repeatedly on satisfactory draft of legislation.

The Nation had for 55 years unsuccessfully sought a formula for comprehensive river basin planning. In February 3, 1908, President Theodore Roosevelt's Inland Waterways Commission recommended "prompt and vigorous action" by the States and the Federal Government to develop comprehensive plans for all the Nation's river basins.

In the intervening years many approaches have been attempted. No general planning mechanism has been adopted. A few basin plans have been developed by independently authorized commissions or administrative agencies. A few are reasonably comprehensive. Others are not at all comprehensive, and are for limited purposes only.

In a few river basins, planning agencies have been established which have Federal and State support and cooperation, including the Tennessee Valley Authority, the Columbia Basin Interagency Committee, and the Delaware River Basin Compact Commission. The Interior Department, in its report on S. 1111, correctly assumes that the bill does not intend to supplant or supersede such established planning bodies.

Through the years since 1908, however, the State and Federal Governments differences have prevented widespread, comprehensive, multiple-purpose planning of water and related land resources in most river basins. A general pattern for planning has been impossible to achieve.

In approaching the problem of developing a pattern for planning which might prove widely acceptable to State and Federal interests and expedite planning, conferees on President Kennedy's proposal first agreed that the final measure should avoid any attempt to adjudicate or affect State and Federal authorities over water and related land resources, or to displace any established agencies or in any way alter existing interstate and State-Federal arrangements or compacts, such as the Colorado River compact with its upper and lower Colorado Basin divisions. Section 3 of S. 1111 is a statement and proposed enactment of these basic purposes, as follows:

"Sec. 3. Nothing in this Act shall be construed—

"(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, or limit the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects; nor to limit the use of other mechanisms, if preferred by the participating governmental units, in the water resources field;

"(b) as superseding, modifying, or repeating existing laws applicable to the various Federal agencies which are authorized to develop or participate

in the development of water and related land resources, or to exercise licensing or regulatory functions in relation thereto; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, or of the International Boundary and Water Commission, United States and Mexico."

The committee believes that when water problems are approached from a planning basis, by planners for optimum development, State and Federal rights issues will seldom, if ever, create deadlocks. Benefits which may result from various engineering plans are calculable and measurable, and provide a tangible, factual basis for agreement on project plans.

Since the introduction of S. 1111, separate water rights legislation has been introduced in the Congress, including S. 1275 and other measures, providing a separate opportunity for consideration of that issue.

The committee consequently feels that the planning and water rights issues have been successfully separated and that S. 1111 will not directly nor indirectly affect rights.





LEGISLATIVE HISTORY

Public Law 89-80
S. 21.

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INDEX AND SUMMARY OF S. 21

Jan. 4, 1965 Rep. Aspinall introduced H. R. 1111 which was referred to the Interior and Insular Affairs Committee. Print of bill as introduced.

Jan. 6, 1965 Sen. Anderson and others introduced S. 21 which was referred to the Interior and Insular Affairs Committee. Print of bill as introduced.

Feb. 24, 1965 Senate committee reported S. 21 with amendments. S. Report No. 68. Print of bill and report.

House committee voted to report H. R. 1111.

Feb. 25, 1965 Senate passed S. 21 as reported.

Mar. 1, 1965 S. 21 was referred to the House Interior and Insular Affairs Committee. Print of bill as referred.

Mar. 15, 1965 House committee reported H. R. 1111 with amendments. H. Report No. 169. Print of bill and report.

Mar. 4, 1965 Sen. Ellender criticized S. 21 as passed by Senate.

Mar. 25, 1965 House Rules Committee granted rule on H. R. 1111.

Mar. 26, 1965 House Rules Committee reported resolution for consideration of H. R. 1111. H. Res. 309, H. Rept. 212. Print of resolution and report.

Mar. 31, 1965 House passed S. 21 with amendments, inserting the language of H. R. 1111.

H. R. 1111 tabled due to the passage of S. 21.

Apr. 9, 1965 Senate conferees were appointed on S. 21.

Apr. 13, 1965 House conferees were appointed on S. 21.

June 30, 1965 Conferees agreed to file a report.

July 8, 1965 House received conference report on S. 21. H. Report No. 603.

July 13, 1965 House agreed to conference report on S. 21

July 14, 1965 Senate agreed to conference report on S. 21.

July 22, 1965 Approved: Public Law 89-80.

DIGEST OF PUBLIC LAW 89-80

WATER RESOURCES PLANNING ACT.

Provides for cooperation by the Federal Government, States, localities, and private enterprise in planning for the comprehensive and coordinated conservation, development, and utilization of water and related land resources. Establishes a Water Resources Council, designating the Secretary of Agriculture as a member, to maintain a continuing study of the adequacy of the Nation's water supplies, to establish standards and procedures for Federal participation and review of river basin plans, and to make recommendations in the national interest. Authorizes the establishment of river basin commissions to conduct planning within major river basins, and authorizes Federal grants to assist States to participate.

89TH CONGRESS
1ST SESSION

H. R. 1111

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1965

Mr. ASPINALL introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

A BILL

To provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SHORT TITLE

4 SECTION 1. This Act may be cited as the "Water
5 Resources Planning Act".

1 STATEMENT OF POLICY

2 SEC. 2. In order to meet the rapidly expanding demands
3 for water throughout the Nation, it is hereby declared to
4 be the policy of the Congress to encourage the conservation,
5 development, and utilization of water and related land re-
6 sources of the United States on a comprehensive and co-
7 ordinated basis with the cooperation of all affected Federal
8 agencies, States, local governments, and others concerned.

9 EFFECT ON EXISTING LAWS

10 SEC. 3. Nothing in this Act shall be construed—

11 (a) to expand or diminish either Federal or State
12 jurisdiction, responsibility, or rights in the field of
13 water resources planning, development, or control; nor
14 to displace, supersede, or limit any interstate compact
15 or the jurisdiction or responsibility of any legally estab-
16 lished joint or common agency of two or more States,
17 or of two or more States and the Federal Government;
18 nor to limit the authority of Congress to authorize and
19 fund projects;

20 (b) to expand, diminish, or change in any par-
21 ticular the authority or responsibility of any Federal or
22 State official or officials, elective or appointive, in the
23 discharge of the duties of his or their office;

24 (c) as superseding, modifying, or repealing exist-
25 ing laws applicable to the various Federal agencies

which are authorized to develop or participate in the development of water and related land resources, or to exercise licensing or regulatory functions in relation thereto; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, or of the International Boundary and Water Commission, United States and Mexico.

TITLE I—WATER RESOURCES COUNCIL

SEC. 101. There is hereby established a Water Resources Council (hereinafter referred to as the "Council") which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Chairman of the Council shall request the heads of other agencies to participate with the Council when matters affecting their responsibilities are considered by the Council. The Chairman of the Council shall be designated by the President.

SEC. 102. The Council shall—

(a) maintain a continuing study and prepare a biennial assessment of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and

(b) maintain a continuing study of the relation of

1 regional or river basin plans and programs to the re-
2 quirements of larger regions of the Nation, and of the
3 adequacy of administrative and statutory means for the
4 coordination of the water and related land resources
5 policies and programs of the several Federal agencies;
6 it shall appraise the adequacy of existing and proposed
7 policies and programs to meet such requirements; and
8 it shall make recommendations to the President with
9 respect to Federal policies and programs.

10 SEC. 103. The Council shall establish, with the approval
11 of the President, principles, standards, and procedures for
12 Federal participants in the preparation of comprehensive
13 regional or river basin plans and for the formulation and
14 evaluation of Federal water and related land resources
15 projects. Such procedures may include provision for Coun-
16 cil revision of plans for Federal projects intended to be
17 proposed in any plan or revision thereof being prepared by
18 a river basin planning commission.

19 SEC. 104. Upon receipt of a plan or revision thereof
20 from any river basin commission under the provisions of
21 section 204 (a) (3) of this Act, the Council shall review
22 the plan or revision with special regard to—

23 (1) the efficacy of such plan or revision in achiev-
24 ing optimum use of the water and related land resources
25 in the area involved;

(2) the effect of the plan on the achievement of other programs for the development of agricultural, urban, energy, industrial, recreational, fish and wildlife, and other resources of the entire Nation; and

(3) the contributions which such plan or revision will make in obtaining the Nation's economic and social goals.

Based on such review the Council shall—

(a) formulate such recommendations as it deems desirable in the national interest; and

(b) transmit its recommendations, together with the plan or revision of the river basin commission, and the views, comments, and recommendations with respect to such plan or revision submitted by any Federal agency, Governor, interstate commission, or United States section of an international commission, to the President for his review and transmittal to the Congress with his recommendations in regard to authorization of Federal projects.

SEC. 105. (a) For the purpose of carrying out the provisions of this Act, the Council may: (1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable; (2) acquire, furnish, and equip such

1 office space as is necessary; (3) use the United States mails
2 in the same manner and upon the same conditions as other
3 departments and agencies of the United States; (4) employ
4 and fix the compensation of such personnel as it deems
5 advisable, in accordance with the civil service laws and
6 Classification Act of 1949, as amended; (5) procure services
7 as authorized by section 15 of the Act of August 2, 1946 (5
8 U.S.C. 55a), at rates not to exceed \$100 per diem for
9 individuals; (6) purchase, hire, operate, and maintain passenger
10 motor vehicles; and (7) incur such necessary expenses
11 and exercise such other powers as are consistent with
12 and reasonably required to perform its functions under this
13 Act.

14 (b) Any member of the Council is authorized to administer
15 oaths when it is determined by a majority of the
16 Council that testimony shall be taken or evidence received
17 under oath.

18 (c) To the extent permitted by law, all appropriate
19 records and papers of the Council may be made available for
20 public inspection during ordinary office hours.

21 (d) Upon request of the Council, the head of any
22 Federal department or agency is authorized (1) to furnish
23 to the Council such information as may be necessary for
24 carrying out its functions and as may be available to or procurable
25 by such department or agency, and (2) to detail

1 to temporary duty with such Council on a reimbursable basis
2 such personnel within his administrative jurisdiction as it
3 may need or believe to be useful for carrying out its func-
4 tions, each such detail to be without loss of seniority, pay, or
5 other employee status.

6 (e) The Council shall be responsible for (1) the ap-
7 pointment and supervision of personnel, (2) the assignment
8 of duties and responsibilities among such personnel, and
9 (3) the use and expenditure of funds.

10 TITLE II—RIVER BASIN COMMISSIONS

11 CREATION OF COMMISSIONS

12 SEC. 201. (e) The President is authorized to declare the
13 establishment of a river basin water and related land re-
14 sources commission upon request therefor by the Council,
15 or request addressed to the Council by a State within which
16 all or part of the basin or basins concerned are located if
17 the request by the Council or by a State (1) defines the
18 area, river basin, or group of related river basins for which
19 a commission is requested (2) is made in writing by the
20 Governor or in such manner as State law may provide, or
21 by the Council, and (3) is concurred in by the Council
22 and by not less than one-half of the States within which
23 portions of the basin or basins concerned are located, or, in
24 the event the Upper Colorado River Basin is involved, by at

1 least three of the four States of Colorado, New Mexico,
2 Utah, and Wyoming. Such concurrences shall be in writing.

3 (b) Each such commission for an area, river basin, or
4 group of river basins shall, to the extent consistent with
5 section 3 of this Act—

6 (1) serve as the principal agency for the coordina-
7 tion of Federal, State, interstate, and local plans for the
8 development of water and related land resources in
9 its area, river basin, or group of river basins;

10 (2) prepare and keep up to date, to the extent prac-
11 ticable, a comprehensive, coordinated, joint plan for
12 Federal, State, interstate, and local development of
13 water and related resources: *Provided*, That the plan
14 shall include an evaluation of all reasonable alternative
15 means of achieving optimum development of water and
16 related land resources of the basin or basins, and it may
17 be prepared in stages, including recommendations with
18 respect to individual projects;

19 (3) recommend long-range schedules of priorities
20 for the collection and analysis of basic data and for in-
21 vestigation, planning, and construction of projects; and

22 (4) foster and undertake such studies of water and
23 related land resources problems in its area, river basin, or
24 group of river basins as are necessary in the prepara-

tion of the plan described in clause (2) of this subsection.

MEMBERSHIP OF COMMISSIONS

SEC. 202. Each river basin commission shall be composed of members appointed as follows:

(a) A chairman appointed by the President who shall also serve as chairman and coordinating officer of the Federal members of the commission and who shall represent the Federal Government in Federal-State relations on the commission and who shall not, during the period of his service on the commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the Federal Government;

(b) One member from each Federal department or independent agency determined by the President to have a substantial interest in the work to be undertaken by the commission, such member to be appointed by the head of such department or independent agency and to serve as the representative of such department or independent agency;

(c) One member from each State which lies wholly or partially within the area, river basin, or group of river basins for which the commission is established, and the appointment

1 of each such member shall be made in accordance with the
2 laws of the State which he represents. In the absence of
3 governing provisions of State law, such State members shall
4 be appointed and serve at the pleasure of the Governor;

5 (d) One member appointed by any interstate agency
6 created by an interstate compact to which the consent of
7 Congress has been given, and whose jurisdiction extends to
8 the waters of the area, river basin, or group of river basins for
9 which the river basin commission is created;

10 (e) When deemed appropriate by the President, one
11 member, who shall be appointed by the President, from the
12 United States section of any international commission created
13 by a treaty to which the consent of the Senate has been
14 given, and whose jurisdiction extends to the waters of the
15 area, river basin, or group of river basins for which the river
16 basin commission is established.

17 ORGANIZATION OF COMMISSIONS

18 SEC. 203. (a) Each river basin commission shall orga-
19 nize for the performance of its functions within ninety days
20 after the President shall have declared the establishment of
21 such commission, subject to the availability of funds for carry-
22 ing on its work. A commission shall terminate upon agree-
23 ment of the Council or agreement of a majority of the States
24 composing the commission. Upon such termination, all prop-
25 erty, assets, and records of the commission shall thereafter be

1 turned over to such agencies of the United States and the
2 participating States as shall be appropriate in the circum-
3 stances: *Provided*, That studies, data, and other materials
4 useful in water and related land resource planning to any
5 of the participants shall be kept freely available to all such
6 participants.

7 (b) State members of each commission shall elect a vice
8 chairman, who shall serve also as chairman and coordinating
9 officer of the State members of the commission and who
10 shall represent the State governments in Federal-State rela-
11 tions on the commission.

12 (c) Vacancies in a commission shall not affect its powers
13 but shall be filled in the same manner in which the original
14 appointments were made: *Provided*, That the chairman and
15 vice chairman may designate alternates to act for them
16 during temporary absences.

17 (d) In the work of the commission every reasonable
18 endeavor shall be made to arrive at a consensus of all
19 members on all issues; but failing this, full opportunity
20 shall be afforded each member for the presentation and
21 report of individual views: *Provided*, That at any time the
22 commission fails to act by reason of absence of consensus, the
23 position of the chairman, acting in behalf of the Federal
24 members, and the vice chairman, acting upon instructions of
25 the State members, shall be set forth in the record: *Provided*

1 *further*, That the chairman, in consultation with the vice
2 chairman, shall have the final authority, in the absence of
3 an applicable bylaw adopted by the commission or in the
4 absence of a consensus, to fix the times and places for meet-
5 ings, to set deadlines for the submission of annual and other
6 reports, to establish subcommittees, and to decide such other
7 procedural questions as may be necessary for the commission
8 to perform its functions.

9 DUTIES OF THE COMMISSIONS

10 SEC. 204. Each river basin commission shall—

11 (1) engage in such activities and make such studies
12 and investigations as are necessary and desirable in
13 carrying out the policy set forth in section 2 of this Act
14 and in accomplishing the purposes set forth in section
15 201 (b) of this Act;

16 (2) submit to the Council and the Governor of each
17 participating State a report on its work at least once
18 each year. Such report shall be transmitted through
19 the President to the Congress. After such transmission,
20 copies of any such report shall be sent to the heads of
21 such Federal, State, interstate, and international agencies
22 as the President or the Governors of the participating
23 States may direct;

24 (3) submit to the Council for transmission to the
25 President and by him to the Congress, and the

1 Governors and the legislatures of the participating
2 States a comprehensive, coordinated, joint plan, or any
3 major portion thereof or necessary revisions thereof,
4 for water and related land resources development in the
5 area, river basin, or group of river basins for which such
6 commission was established. Before the commission
7 submits such a plan or major portion thereof or revision
8 thereof to the Council, it shall transmit the proposed
9 plan or revision to the head of each Federal department
10 or agency, the Governor of each State, and each inter-
11 state agency, from which a member of the commission
12 has been appointed, and to the head of the United
13 States section of any international commission if the
14 plan, portion, or revision deals with a boundary water or
15 a river crossing a boundary, or any tributary flowing
16 into such boundary water or river, over which the inter-
17 national commission has jurisdiction or for which it
18 has responsibility. Each such department and agency
19 head, Governor, interstate agency, and United States
20 section of an international commission shall have ninety
21 days from the date of the receipt of the proposed plan,
22 portion, or revision to report its views, comments, and
23 recommendations to the commission. The commission
24 may modify the plan, portion, or revision after consid-

1 ering the reports so submitted. The views, comments,
2 and recommendations submitted by each Federal de-
3 partment or agency head, Governor, interstate agency,
4 and United States section of an international commis-
5 sion shall be transmitted to the Council with the plan,
6 portion, or revision; and

7 (4) submit to the Council at the time of submit-
8 ting such plan, any recommendations it may have for
9 continuing the functions of the commission and for im-
10 plementing the plan, including means of keeping the
11 plan up to date.

12 POWERS AND ADMINISTRATIVE PROVISIONS OF THE
13 COMMISSIONS

14 SEC. 205. (a) For the purpose of carrying out the pro-
15 visions of this title, each river basin commission may—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable;

21 (2) acquire, furnish, and equip such office space as
22 is necessary;

(3) use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States;

1 (4) employ and compensate such personnel as it
2 deems advisable, including consultants, at rates not to
3 exceed \$100 per diem;

4 (5) arrange for the services of personnel from any
5 State or the United States, or any subdivision or agency
6 thereof, or any intergovernmental agency;

7 (6) make arrangements, including contracts, with
8 any participating government, except the United States
9 or the District of Columbia, for inclusion in a suitable
10 retirement and employee benefit system of such of its
11 personnel as may not be eligible for or continuing in
12 another governmental retirement or employee benefit
13 system, or otherwise provide for such coverage of its
14 personnel;

15 (7) purchase, hire, operate, and maintain passen-
16 ger motor vehicles; and

17 (8) incur such necessary expenses and exercise
18 such other powers as are consistent with and reasonably
19 required to perform its functions under this Act.

20 (b) The chairman of a river basin commission, or any
21 member of such commission designated by the chairman
22 thereof for the purpose, is authorized to administer oaths
23 when it is determined by a majority of the commission that
24 testimony shall be taken or evidence received under oath.

25 (c) To the extent permitted by law, all appropriate

1 records and papers of each river basin commission shall be
2 made available for public inspection during ordinary office
3 hours.

4 (d) Upon request of the chairman of any river basin
5 commission, or any member or employee of such commission
6 designated by the chairman thereof for the purpose, the head
7 of any Federal department or agency is authorized (1) to
8 furnish to such commission such information as may be nec-
9 essary for carrying out its functions and as may be available
10 to or procurable by such department or agency, and (2) to
11 detail to temporary duty with such commission on a reim-
12 bursable basis such personnel within his administrative juris-
13 diction as it may need or believe to be useful for carrying out
14 its functions, each such detail to be without loss of seniority,
15 pay, or other employee status.

16 (e) The chairman of each river basin commission shall,
17 in accordance with the general policies of such commission
18 with respect to the work to be accomplished by it and the
19 timing thereof, be responsible for (1) the appointment and
20 supervision of personnel employed by such commission, (2)
21 the assignment of duties and responsibilities among such per-
22 sonnel, and (3) the use and expenditures of funds available
23 to such commission.

24 COMPENSATION OF COMMISSION MEMBERS

25 SEC. 206. (a) Any member of a river basin commis-

1 sion appointed pursuant to section 202 (b) and (e) of this
2 Act, shall receive no additional compensation by virtue of
3 his membership on the commission, but shall continue to
4 receive, from appropriations made for the agency from which
5 he is appointed, the salary of his regular position when en-
6 gaged in the performance of the duties vested in the com-
7 mission.

8 (b) Members of a commission, appointed pursuant to
9 section 202 (c) and (d) of this Act, shall each receive such
10 compensation as may be provided by the States or the inter-
11 state agency respectively, which they represent.

12 (c) The per annum compensation of the chairman of
13 each river basin commission shall be determined by the
14 President, but when employed on a full-time annual basis
15 shall not exceed the maximum scheduled rate for grade
16 GS-18 of the Classification Act of 1949, as amended; or
17 when engaged in the performance of the commission's duties
18 on an intermittent basis such compensation shall be not more
19 than \$100 per day and shall not exceed \$12,000 in any year.

20 SEC. 207. (a) Each commission shall recommend what
21 share of its expenses shall be borne by the Federal Govern-
22 ment, but such share shall be subject to approval by the
23 Council. The remainder of the commission's expenses shall
24 be otherwise apportioned as the commission may determine.

1 Each commission shall prepare a budget annually and trans-
2 mit it to the Council and the States. Estimates of proposed
3 appropriations from the Federal Government shall be in-
4 cluded in the budget estimates submitted by the Council
5 under the Budgeting and Accounting Act of 1921, as
6 amended, and may include an amount for advance to a
7 commission against State appropriations for which delay is
8 anticipated by reason of later legislative sessions. All sums
9 appropriated to or otherwise received by a commission shall
10 be credited to the commission's account in the Treasury of
11 the United States.

12 (b) A commission may accept for any of its purposes
13 and functions, appropriations, donations, and grants of money,
14 equipment, supplies, materials, and services from any State
15 or the United States or any subdivision or agency thereof, or
16 intergovernmental agency, and may receive, utilize, and dis-
17 pose of the same.

18 (c) The commission shall keep accurate accounts of all
19 receipts and disbursements. The accounts shall be audited at
20 least annually in accordance with generally accepted auditing
21 standards by independent certified or licensed public account-
22 ants, certified or licensed by a regulatory authority of a State
23 and the report of the audit shall be included in and become a
24 part of the annual report of the commission.

25 (d) The accounts of the commission shall be open at all

1 reasonable times for inspection by representatives of the juris-
2 dictions and agencies which make appropriations, donations,
3 or grants to the commission.

4 TITLE III—FINANCIAL ASSISTANCE TO THE
5 STATES FOR COMPREHENSIVE PLANNING
6 GRANT AUTHORIZATIONS

7 SEC. 301. (a) In recognition of the need for increased
8 participation by the States in water and related land re-
9 sources planning to be effective, there are hereby authorized
10 to be appropriated to the Council for the next fiscal year
11 beginning after the date of enactment of this Act, and for the
12 nine succeeding fiscal years thereafter, \$5,000,000 in each
13 such year for grants to States to assist them in developing and
14 participating in the development of comprehensive water
15 and related land resources plans.

16 (b) The Council with the approval of the President,
17 shall prescribe such rules, establish such procedures, and
18 make such arrangements and provisions relating to the per-
19 formance of its functions under this title, and the use of
20 funds available therefor, as may be necessary in order to
21 assure (1) coordination of the program authorized by this
22 title with related Federal planning assistance programs, in-
23 cluding the program authorized under section 701 of the
24 Housing Act of 1954 and (2) appropriate utilization of

1 other Federal agencies administering programs which may
2 contribute to achieving the purpose of this Act.

3 ALLOTMENTS

4 SEC. 302. (a) From the sums appropriated pursuant to
5 section 301 for any fiscal year the Council shall from time
6 to time make allotments to the States, in accordance with
7 its regulations on the basis of (1) the population, (2) the
8 land area, (3) the need for comprehensive water and re-
9 lated land resources planning programs, and (4) the finan-
10 cial need of the respective States. For the purposes of this
11 section the population of the States shall be determined
12 on the basis of the latest estimates available from the De-
13 partment of Commerce and the land area of the States shall
14 be determined on the basis of the official records of the
15 United States Geological Survey.

16 (b) From each State's allotment under this section for
17 any fiscal year the Council shall pay to such State an amount
18 which is not more than 50 per centum of the cost of carrying
19 out its State program approved under section 303, including
20 the cost of training personnel for carrying out such program
21 and the cost of administering such program.

22 STATE PROGRAMS

23 SEC. 303. The Council shall approve any program for
24 comprehensive water and related land resources planning
25 which is submitted by a State, if such program—

(1) provides for comprehensive planning with respect to intrastate or interstate water resources, or both, in such State to meet the needs for water and water related activities taking into account prospective demands for all purposes served through or affected by water and related land resources development, with adequate provision for coordination with all Federal, State, and local agencies having responsibilities in affected fields;

(2) provides, where comprehensive statewide development planning is being carried on with or without assistance under section 701 of the Housing Act of 1954, for full coordination between comprehensive water resources planning and other statewide planning programs and for assurances that such water resources planning will be in conformity with the general development policy in such State;

(3) designates a State agency (hereinafter referred to as the "State agency") to administer the program;

(4) provides that the State agency will make such reports in such form and containing such information as the Council from time to time reasonably requires to carry out its functions under this title;

(5) sets forth the procedure to be followed in carry-

1 ing out the State program and in administering such
2 program; and

3 (6) provides such accounting, budgeting, and other
4 fiscal methods and procedures as are necessary for keep-
5 ing appropriate accountability of the funds and for the
6 proper and efficient administration of the program.

7 The Council shall not disapprove any program without first
8 giving reasonable notice and opportunity for hearing to the
9 State agency administering such program.

10 REVIEW

11 SEC. 304. Whenever the Council after reasonable notice
12 and opportunity for hearing to a State agency finds that—

13 (a) the program submitted by such State and ap-
14 proved under section 303 has been so changed that it no
15 longer complies with a requirement of such section: or

16 (b) in the administration of the program there is a
17 failure to comply substantially with such a requirement,
18 the Council shall notify such agency that no further pay-
19 ments will be made to the State under this title until it
20 is satisfied that there will no longer be any such failure.

21 Until the Council is so satisfied, it shall make no further
22 payments to such State under this title.

23 PAYMENTS

24 SEC. 305. The method of computing and paying
25 amounts pursuant to this title shall be as follows:

(1) The Council shall, prior to the beginning of each calendar quarter or other period prescribed by it, estimate the amount to be paid to each State under the provisions of this title for such period, such estimate to be based on such records of the State and information furnished by it, and such other investigation, as the Council may find necessary.

(2) The Council shall pay to the State, from the allotment available therefor, the amount so estimated by it for any period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which it finds that its estimate of the amount to be paid such State for any prior period under this title was greater or less than the amount which should have been paid to such State for such prior period under this title. Such payments shall be made through the disbursing facilities of the Treasury Department, at such times and in such installments as the Council may determine.

DEFINITION

SEC. 306. For the purpose of this title the term "State" means a State, the District of Columbia, Puerto Rico, or the Virgin Islands.

SEC. 307. (a) Each recipient of a grant under this Act shall keep such records as the Chairman of the Council shall

1 prescribe, including records which fully disclose the amount
2 and disposition of the funds received under the grant, and the
3 total cost of the project or undertaking in connection with
4 which the grant was made and the amount and nature of
5 that portion of the cost of the project or undertaking sup-
6 plied by other sources, and such other records as will facilitate
7 an effective audit.

8 (b) The Chairman of the Council and the Comptroller
9 General of the United States, or any of their duly authorized
10 representatives, shall have access for the purpose of audit and
11 examination to any books, documents, papers, and records
12 of the recipient of the grant that are pertinent to the deter-
13 mination that funds granted are used in accordance with this
14 Act.

15 TITLE IV—MISCELLANEOUS

16 AUTHORIZATION OF APPROPRIATIONS

17 SEC. 402. The Council is authorized to make such rules
18 sums as may be necessary to carry out the provisions of
19 titles I and II and the administration of title III.

20 RULES AND REGULATIONS

21 SEC. 402. The Council is authorized to make such rules
22 and regulations as it may deem necessary or appropriate for
23 carrying out those provisions of this Act which are admin-
24 istered by it.

DELEGATION OF FUNCTIONS

SEC. 403. The Council is authorized to delegate to any member or employee of the Council its administrative functions under section 105 and the detailed administration of the grant program under title III.

UTILIZATION OF PERSONNEL

SEC. 404. The Council may, with the consent of the head of any other department or agency of the United States, utilize such officers and employees of such agency on a reimbursable basis as are necessary to carry out the provisions of this Act.

A BILL

To provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

By Mr. ASPINALL

JANUARY 4, 1965

Referred to the Committee on Interior and Insular
Affairs

1111 H. R. 1111

A BILL

89TH CONGRESS
1ST SESSION

S. 21

IN THE SENATE OF THE UNITED STATES

JANUARY 6, 1965

MR. ANDERSON (for himself, MR. BIBLE, MR. EASTLAND, MR. HART, MR. KUCHEL, MR. METCALF, MR. MOSS, MR. TOWER, and MR. YARBOROUGH) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

A BILL

To provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

SHORT TITLE

SECTION 1. This Act may be cited as the “Water Re-
sources Planning Act”.

STATEMENT OF POLICY

7 SEC. 2. In order to meet the rapidly expanding demands

1 for water throughout the Nation, it is hereby declared to be
2 the policy of the Congress to encourage the conservation, de-
3 velopment, and utilization of water and related land resources
4 of the United States on a comprehensive and coordinated
5 basis with the cooperation of all affected Federal agencies,
6 States, local governments, and others concerned.

7 EFFECT ON EXISTING LAWS

8 SEC. 3. Nothing in this Act shall be construed—

9 (a) to expand or diminish either Federal or State
10 jurisdiction, responsibility, or rights in the field of water
11 resources planning, development, or control; nor to dis-
12 place, supersede, or limit any interstate compact or the
13 jurisdiction or responsibility of any legally established
14 joint or common agency of two or more States, or of
15 two or more States and the Federal Government; nor to
16 limit the authority of Congress to authorize and fund
17 projects;

18 (b) as superseding, modifying, or repealing exist-
19 ing laws applicable to the various Federal agencies
20 which are authorized to develop or participate in the
21 development of water and related land resources, or to
22 exercise licensing or regulatory functions in relation
23 thereto; nor to affect the jurisdiction, powers, or pre-
24 rogatives of the International Joint Commission, United

States and Canada, or of the International Boundary and Water Commission, United States and Mexico.

TITLE I—WATER RESOURCES COUNCIL

SEC. 101. There is hereby established a Water Resources Council (hereinafter referred to as the “Council”) which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Chairman of the Council shall request the heads of other agencies to participate with the Council when matters affecting their responsibilities are considered by the Council. The Chairman of the Council shall be designated by the President.

SEC. 102. The Council shall—

(a) maintain a continuing study and prepare a biennial assessment of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and

(b) maintain a continuing study of the relation of regional or river basin plans and programs to the requirements of larger regions of the Nation, and of the adequacy of administrative and statutory means for

1 the coordination of the water and related land resources
2 policies and programs of the several Federal agencies;
3 it shall appraise the adequacy of existing and pro-
4 posed policies and programs to meet such requirements;
5 and it shall make recommendations to the President with
6 respect to Federal policies and programs.

7 SEC. 103. The Council shall establish, with the approval
8 of the President, principles, standards, and procedures for
9 Federal participants in the preparation of comprehensive
10 regional or river basin plans and for the formulation and
11 evaluation of Federal water and related land resources proj-
12 ects. Such procedures may include provision for Council
13 revision of plans for Federal projects intended to be pro-
14 posed in any plan or revision thereof being prepared by
15 a river basin planning commission.

16 SEC. 104. Upon receipt of a plan or revision thereof
17 from any river basin commission under the provisions of sec-
18 tion 204 (a) (3) of this Act, the Council shall review the
19 plan or revision with special regard to—

20 (1) the efficacy of such plan or revision in achiev-
21 ing optimum use of the water and related land resources
22 in the area involved;

23 (2) the effect of the plan on the achievement of
24 other programs for the development of agricultural,

1 urban, energy, industrial, recreational, fish and wildlife,
2 and other resources of the entire Nation; and

3 (3) the contributions which such plan or revision
4 will make in obtaining the Nation's economic and social
5 goals.

6 Based on such review the Council shall—

7 (a) formulate such recommendations as it deems
8 desirable in the national interest; and

9 (b) transmit its recommendations, together with
10 the plan or revision of the river basin commission, and
11 the views, comments, and recommendations with respect
12 to such plan or revision submitted by any Federal
13 agency, Governor, interstate commission, or United
14 States section of an international commission, to the
15 President for his review and transmittal to the Congress
16 with his recommendations in regard to authorization of
17 Federal projects.

18 SEC. 105. (a) For the purpose of carrying out the pro-
19 visions of this Act, the Council may: (1) hold such hear-
20 ings, sit and act at such times and places, take such testimony,
21 receive such evidence, and print or otherwise reproduce and
22 distribute so much of its proceedings and reports thereon as
23 it may deem advisable; (2) acquire, furnish, and equip such
24 office space as is necessary; (3) use the United States mails

1 in the same manner and upon the same conditions as other
2 departments and agencies of the United States; (4) employ
3 and fix the compensation of such personnel as it deems ad-
4 visable, in accordance with the civil service laws and Classi-
5 fication Act of 1949, as amended; (5) procure services as
6 authorized by section 15 of the Act of August 2, 1946 (5
7 U.S.C. 55a), at rates not to exceed \$100 per diem for indi-
8 viduals; (6) purchase, hire, operate, and maintain passenger
9 motor vehicles; and (7) incur such necessary expenses and
10 exercise such other powers as are consistent with and rea-
11 sonably required to perform its functions under this Act.

12 (b) Any member of the Council is authorized to ad-
13 minister oaths when it is determined by a majority of the
14 Council that testimony shall be taken or evidence received
15 under oath.

16 (c) To the extent permitted by law, all appropriate
17 records and papers of the Council may be made available
18 for public inspection during ordinary office hours.

19 (d) Upon request of the Council, the head of any Fed-
20 eral department or agency is authorized (1) to furnish to
21 the Council such information as may be necessary for carry-
22 ing out its functions and as may be available to or procurable
23 by such department or agency, and (2) to detail to tem-
24 porary duty with such Council on a reimbursable basis such
25 personnel within his administrative jurisdiction as it may

1 need or believe to be useful for carrying out its functions,
2 each such detail to be without loss of seniority, pay, or other
3 employee status.

4 (e) The Council shall be responsible for (1) the ap-
5 pointment and supervision of personnel, (2) the assignment
6 of duties and responsibilities among such personnel, and (3)
7 the use and expenditures of funds.

8 TITLE II—RIVER BASIN COMMISSIONS

9 CREATION OF COMMISSIONS

10 SEC. 201. (a) The President is authorized to declare
11 the establishment of a river basin water and related land re-
12 sources commission upon request therefor by the Council, or
13 request addressed to the Council by a State within which all
14 or part of the basin or basins concerned are located if the
15 request by the Council or by a State (1) defines the area,
16 river basin, or group of related river basins for which a com-
17 mission is requested, (2) is made in writing by the Governor
18 or in such manner as State law may provide, or by the Coun-
19 cil, and (3) is concurred in by the Council and by not less
20 than one-half of the States within which portions of the basin
21 or basins concerned are located. Such concurrences shall be
22 in writing.

23 (b) Each such commission for an area, river basin, or
24 group of river basins shall, to the extent consistent with
25 section 3 of this Act—

(1) serve as the principal agency for the coordination of Federal, State, interstate, and local plans for the development of water and related land resources in its area, river basin, or group of river basins;

(2) prepare and keep up to date, to the extent practicable, a comprehensive, coordinated, joint plan for Federal, State, interstate, and local development of water and related resources: *Provided*, That the plan shall include an evaluation of all reasonable alternative means of achieving optimum development of water and related land resources of the basin or basins, and it may be prepared in stages, including recommendations with respect to individual projects:

(3) recommend long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and

(4) foster and undertake such studies of water and related land resources problems in its area, river basin, or group of river basins as are necessary in the preparation of the plan described in clause (2) of this subsection.

MEMBERSHIP OF COMMISSIONS

SEC. 202. Each river basin commission shall be composed of members appointed as follows:

(a) A chairman appointed by the President who shall

1 also serve as chairman and coordinating officer of the Federal
2 members of the commission and who shall represent the Fed-
3 eral Government in Federal-State relations on the commis-
4 sion and who shall not, during the period of his service on the
5 commission, hold any other position as an officer or employee
6 of the United States, except as a retired officer or retired
7 civilian employee of the Federal Government;

8 (b) One member from each Federal department or
9 independent agency determined by the President to have a
10 substantial interest in the work to be undertaken by the
11 commission, such member to be appointed by the head of
12 such department or independent agency and to serve as the
13 representative of such department or independent agency;

14 (c) One member from each State which lies wholly or
15 partially within the area, river basin, or group of river
16 basins for which the commission is established, and the ap-
17 pointment of each such member shall be made in accordance
18 with the laws of the State which he represents. In the
19 absence of governing provisions of State law, such State
20 members shall be appointed and serve at the pleasure of the
21 Governor;

22 (d) One member appointed by any interstate agency
23 created by an interstate compact to which the consent of

1 Congress has been given, and whose jurisdiction extends
2 to the waters of the area, river basin, or group of river
3 basins for which the river basin commission is created;

4 (e) When deemed appropriate by the President, one
5 member, who shall be appointed by the President, from the
6 United States section of any international commission created
7 by a treaty to which the consent of the Senate has been
8 given, and whose jurisdiction extends to the waters of the
9 area, river basin, or group of river basins for which the
10 river basin commission is established.

11 ORGANIZATION OF COMMISSIONS

12 SEC. 203. (a) Each river basin commission shall or-
13 ganize for the performance of its functions within ninety
14 days after the President shall have declared the establish-
15 ment of such commission, subject to the availability of
16 funds for carrying on its work. A commission shall termi-
17 nate upon agreement of the Council or agreement of a ma-
18 jority of the States composing the commission. Upon such
19 termination, all property, assets, and records of the commis-
20 sion shall thereafter be turned over to such agencies of the
21 United States and the participating States as shall be appro-
22 priate in the circumstances: *Provided*, That studies, data,
23 and other materials useful in water and related land resource
24 planning to any of the participants shall be kept freely avail-
25 able to all such participants.

1 (b) State members of each commission shall elect a
2 vice chairman, who shall serve also as chairman and co-
3 ordinating officer of the State members of the commission and
4 who shall represent the State governments in Federal-State
5 relations on the commission.

6 (c) Vacancies in a commission shall not affect its
7 powers but shall be filled in the same manner in which the
8 original appointments were made: *Provided*, That the chair-
9 man and vice chairman may designate alternates to act for
10 them during temporary absences.

11 (d) In the work of the commission every reasonable
12 endeavor shall be made to arrive at a consensus of all mem-
13 bers on all issues; but failing this, full opportunity shall be
14 afforded each member for the presentation and report of
15 individual views: *Provided*, That at any time the com-
16 mission fails to act by reason of absence of consensus, the
17 position of the chairman, acting in behalf of the Federal
18 members, and the vice chairman, acting upon instructions of
19 the State members, shall be set forth in the record: *Provided*
20 *further*, That the chairman, in consultation with the vice
21 chairman, shall have the final authority, in the absence of
22 an applicable bylaw adopted by the commission or in the
23 absence of a consensus, to fix the times and places for meet-
24 ings, to set deadlines for the submission of annual and other
25 reports, to establish subcommittees, and to decide such other

1 procedural questions as may be necessary for the commission
2 to perform its functions.

3 DUTIES OF THE COMMISSIONS

4 SEC. 204. Each river basin commission shall—

5 (1) engage in such activities and make such studies
6 and investigations as are necessary and desirable in
7 carrying out the policy set forth in section 2 of this Act
8 and in accomplishing the purposes set forth in section
9 201 (b) of this Act;

10 (2) submit to the Council and the Governor of
11 each participating State a report on its work at least
12 once each year. Such report shall be transmitted
13 through the President to the Congress. After such
14 transmission, copies of any such report shall be sent to
15 the heads of such Federal, State, interstate, and inter-
16 national agencies as the President or the Governors of
17 the participating States may direct;

18 (3) submit to the Council for transmission to the
19 President and by him to the Congress, and the Gov-
20 ernors and the legislatures of the participating States
21 a comprehensive, coordinated, joint plan, or any major
22 portion thereof or necessary revisions thereof, for water
23 and related land resources development in the area,
24 river basin, or group of river basins for which such com-
25 mission was established. Before the commission submits

such a plan or major portion thereof or revision thereof to the Council, it shall transmit the proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and each interstate agency, from which a member of the commission has been appointed, and to the head of the United States section of any international commission if the plan, portion or revision deals with a boundary water or a river crossing a boundary, or any tributary flowing into such boundary water or river, over which the international commission has jurisdiction or for which it has responsibility. Each such department and agency head, Governor, interstate agency, and United States section of an international commission shall have ninety days from the date of the receipt of the proposed plan, portion or revision to report its views, comments, and recommendations to the commission. The commission may modify the plan, portion or revision after considering the report so submitted. The views, comments, and recommendations submitted by each Federal department or agency head, Governor, interstate agency, and United States section of an international commission shall be transmitted to the Council with the plan, portion or revision; and

1 (4) submit to the Council at the time of submitting
2 such plan, any recommendations it may have for con-
3 tinuing the functions of the commission and for im-
4 plementing the plan, including means of keeping the
5 plan up to date.

6 POWERS AND ADMINISTRATIVE PROVISIONS OF THE
7 COMMISSIONS

8 SEC. 205. (a) For the purpose of carrying out the
9 provisions of this title, each river basin commission may—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable;

15 (2) acquire, furnish, and equip such office space as
16 is necessary;

(3) use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States;

20 (4) employ and compensate such personnel as it
21 deems advisable, including consultants, at rates not to
22 exceed \$100 per diem;

(5) arrange for the services of personnel from any State or the United States, or any subdivision or agency thereof, or any intergovernmental agency;

1 (6) make arrangements, including contracts, with
2 any participating government, except the United States
3 or the District of Columbia, for inclusion in a suitable
4 retirement and employee benefit system of such of its
5 personnel as may not be eligible for or continuing in
6 another governmental retirement or employee benefit
7 system, or otherwise provide for such coverage of its
8 personnel;

9 (7) purchase, hire, operate, and maintain passenger
10 motor vehicles; and

11 (8) incur such necessary expenses and exercise such
12 other powers as are consistent with and reasonably re-
13 quired to perform its functions under this Act.

14 (b) The chairman of a river basin commission, or any
15 member of such commission designated by the chairman
16 thereof for the purpose, is authorized to administer oaths
17 when it is determined by a majority of the commission that
18 testimony shall be taken or evidence received under oath.

19 (c) to the extent permitted by law, all appropriate
20 records and papers of each river basin commission shall be
21 made available for public inspection during ordinary office
22 hours.

23 (d) Upon request of the chairman of any river basin
24 commission, or any member or employee of such commis-
25 sion designated by the chairman thereof for the purpose,

1 the head of any Federal department or agency is authorized
2 (1) to furnish to such commission such information as may
3 be necessary for carrying out its functions and as may be
4 available to or procurable by such department or agency,
5 and (2) to detail to temporary duty with such commission
6 on a reimbursable basis such personnel within his adminis-
7 trative jurisdiction as it may need or believe to be useful for
8 carrying out its functions, each such detail to be without loss
9 of seniority, pay, or other employee status.

10 (c) The chairman of each river basin commission shall,
11 in accordance with the general policies of such commission
12 with respect to the work to be accomplished by it and the
13 timing thereof, be responsible for (1) the appointment and
14 supervision of personnel employed by such commission, (2)
15 the assignment of duties and responsibilities among such per-
16 sonnel, and (3) the use and expenditures of funds available
17 to such commission.

18 COMPENSATION OF COMMISSION MEMBERS

19 SEC. 206. (a) Any member of a river basin commis-
20 sion appointed pursuant to section 202 (b) and (e) of this
21 Act shall receive no additional compensation by virtue of
22 his membership on the commission, but shall continue to
23 receive, from appropriations made for the agency from which
24 he is appointed, the salary of his regular position when

1 engaged in the performance of the duties vested in the
2 commission.

3 (b) Members of a commission, appointed pursuant to
4 section 202 (c) and (d) of this Act, shall each receive such
5 compensation as may be provided by the States or the inter-
6 state agency respectively, which they represent.

7 (c) The per annum compensation of the chairman of
8 each river basin commission shall be determined by the
9 President, but when employed on a full-time annual basis
10 shall not exceed the maximum scheduled rate for grade
11 GS-18 of the Classification Act of 1949, as amended; or
12 when engaged in the performance of the commission's duties
13 on an intermittent basis such compensation shall be not more
14 than \$100 per day and shall not exceed \$12,000 in any year.

15 SEC. 207. (a) Each commission shall recommend what
16 share of its expenses shall be borne by the Federal Govern-
17 ment, but such share shall be subject to approval by the
18 Council. The remainder of the commission's expenses shall
19 be otherwise apportioned as the commission may determine.
20 Each commission shall prepare a budget annually and trans-
21 mit it to the Council and the States. Estimates of proposed
22 appropriations from the Federal Government shall be in-
23 cluded in the budget estimates submitted by the Council
24 under the Budgeting and Accounting Act of 1921, as

1 amended, and may include an amount for advance to a
2 commission against State appropriations for which delay is
3 anticipated by reason of later legislative sessions. All sums
4 appropriated to or otherwise received by a commission shall
5 be credited to the commission's account in the Treasury of
6 the United States.

7 (b) A commission may accept for any of its purposes
8 and functions appropriations, donations, and grants of
9 money, equipment, supplies, materials, and services from
10 any State or the United States or any subdivision or agency
11 thereof, or intergovernmental agency, and may receive, uti-
12 lize, and dispose of the same.

13 (c) The commission shall keep accurate accounts of all
14 receipts and disbursements. The accounts shall be audited at
15 least annually in accordance with generally accepted auditing
16 standards by independent certified or licensed public account-
17 ants, certified or licensed by a regulatory authority of a
18 State, and the report of the audit shall be included in and
19 become a part of the annual report of the commission.

20 (d) The accounts of the commission shall be open at all
21 reasonable times for inspection by representatives of the juris-
22 dictions and agencies which make appropriations, donations,
23 or grants to the commission.

1 TITLE III—FINANCIAL ASSISTANCE TO THE
2 STATES FOR COMPREHENSIVE PLANNING
3 GRANT AUTHORIZATION

4 SEC. 301. (a) In recognition of the need for increased
5 participation by the States in water and related land re-
6 sources planning to be effective, there are hereby authorized
7 to be appropriated to the Council for the next fiscal year
8 beginning after the date of enactment of this Act, and for the
9 nine succeeding fiscal years thereafter, \$5,000,000 in each
10 such year for grants to States to assist them in developing
11 and participating in the development of comprehensive water
12 and related land resources plans.

13 (b) The Council, with the approval of the President,
14 shall prescribe such rules, establish such procedures, and
15 make such arrangements and provisions relating to the per-
16 formance of its functions under this title, and the use of funds
17 available therefor, as may be necessary in order to assure
18 (1) coordination of the program authorized by this title with
19 related Federal planning assistance programs, including the
20 program authorized under section 701 of the Housing Act
21 of 1954 and (2) appropriate utilization of other Federal
22 agencies administering programs which may contribute to
23 achieving the purpose of this Act.

1

ALLOTMENTS

2 SEC. 302. (a) From the sums appropriated pursuant to
3 section 301 for any fiscal year the Council shall from time
4 to time make allotments to the States, in accordance with its
5 regulations on the basis of (1) the population, (2) the land
6 area, (3) the need for comprehensive water and related
7 land resources planning programs, and (4) the financial
8 need of the respective States. For the purposes of this sec-
9 tion the population of the States shall be determined on the
10 basis of the latest estimates available from the Department
11 of Commerce and the land area of the States shall be deter-
12 mined on the basis of the official records of the United States
13 Geological Survey.

14 (b) From each State's allotment under this section for
15 any fiscal year the Council shall pay to such State an amount
16 which is not more than 50 per centum of the cost of carrying
17 out its State program approved under section 303, including
18 the cost of training personnel for carrying out such program
19 and the cost of administering such program.

20

STATE PROGRAMS

21

22 SEC. 303. The Council shall approve any program for
23 comprehensive water and related land resources planning
24 which is submitted by a State, if such program—

25

(1) provides for comprehensive planning with re-
spect to intrastate or interstate water resources or both

1 in such State to meet the needs for water and water
2 related activities taking into account prospective de-
3 mands for all purposes served through or affected by
4 water and related land resources development, with
5 adequate provision for coordination with all Federal,
6 State, and local agencies having responsibilities in
7 affected fields;

8 (2) provides, where comprehensive statewide de-
9 velopment planning is being carried on with or without
10 assistance under section 701 of the Housing Act of 1954,
11 for full coordination between comprehensive water re-
12 sources planning and other statewide planning pro-
13 grams and for assurances that such water resources
14 planning will be in conformity with the general develop-
15 ment policy in such State;

16 (3) designates a State agency (hereinafter referred
17 to as the "State agency") to administer the program;

18 (4) provides that the State agency will make such
19 reports in such form and containing such information
20 as the Council from time to time reasonably requires to
21 carry out its functions under this title;

22 (5) sets forth the procedure to be followed in
23 carrying out the State program and in administering
24 such program; and

25 (6) provides such accounting, budgeting, and

1 other fiscal methods and procedures as are necessary
2 for keeping appropriate accountability of the funds and
3 for the proper and efficient administration of the pro-
4 gram.

5 The Council shall not disapprove any program without first
6 giving reasonable notice and opportunity for hearing to the
7 State agency administering such program.

REVIEW

9 SEC. 304. Whenever the Council after reasonable notice
10 and opportunity for hearing to a State agency finds that—

(a) the program submitted by such State and approved under section 303 has been so changed that it no longer complies with a requirement of such section; or

(b) in the administration of the program there is a failure to comply substantially with such a requirement, the Council shall notify such agency that no further payments will be made to the State under this title until it is satisfied that there will no longer by any such failure. Until the Council is so satisfied, it shall make no further payments to such State under this title.

PAYMENTS

23 SEC. 305. The method of computing and paying amounts
24 pursuant to this title shall be as follows:

25 (1) The Council shall, prior to the beginning of

1 each calendar quarter or other period prescribed by it,
2 estimate the amount to be paid to each State under the
3 provisions of this title for such period, such estimate to
4 be based on such records of the State and information
5 furnished by it, and such other investigation, as the
6 Council may find necessary.

7 (2) The Council shall pay to the State, from the al-
8 lotment available therefor, the amount so estimated by
9 it for any period, reduced or increased, as the case may
10 be, by any sum (not previously adjusted under this
11 paragraph) by which it finds that its estimate of the
12 amount to be paid such State for any prior period under
13 this title was greater or less than the amount which
14 should have been paid to such State for such prior period
15 under this title. Such payments shall be made through
16 the disbursing facilities of the Treasury Department, at
17 such times and in such installments as the Council may
18 determine.

19 DEFINITION

20 SEC. 306. For the purpose of this title the term "State"
21 means a State, the District of Columbia, Puerto Rico, or the
22 Virgin Islands.

23 SEC. 307. (a) Each recipient of a grant under this Act
24 shall keep such records as the Chairman of the Council shall
25 prescribe, including records which fully disclose the amount

1 and disposition of the funds received under the grant, and
2 the total cost of the project or undertaking in connection with
3 which the grant was made and the amount and nature of that
4 portion of the cost of the project or undertaking supplied by
5 other sources, and such other records as will facilitate an
6 effective audit.

7 (b) The Chairman of the Council and the Comptroller
8 General of the United States, or any of their duly authorized
9 representatives, shall have access for the purpose of audit and
10 examination to any books, documents, papers, and records of
11 the recipient of the grant that are pertinent to the determina-
12 tion that funds granted are used in accordance with this Act.

13 TITLE IV—MISCELLANEOUS

14 AUTHORIZATION OF APPROPRIATIONS

15 SEC. 401. There are authorized to be appropriated such
16 sums as may be necessary to carry out the provisions of titles
17 I and II and the administration of title III.

18 RULES AND REGULATIONS

19 SEC. 402. The Council is authorized to make such rules
20 and regulations as it may deem necessary or appropriate for
21 carrying out those provisions of this Act which are admin-
22 istered by it.

23 DELEGATION OF FUNCTIONS

24 SEC. 403. The Council is authorized to delegate to any
25 member or employee of the Council its administrative func-

1 tions under section 105 and the detailed administration of the
2 grant program under title III.

3 UTILIZATION OF PERSONNEL

4 SEC. 404. The Council may, with the consent of the
5 head of any other department or agency of the United States,
6 utilize such officers and employees of such agency on a re-
7 imbursable basis as are necessary to carry out the provisions
8 of this Act.

A BILL

To provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

By Mr. ANDERSON, Mr. BIBLE, Mr. EASTLAND,
Mr. HART, Mr. KUCHEL, Mr. METCALF, Mr.
MOSS, Mr. TOWER, and Mr. YARBOROUGH

JANUARY 6, 1965

Read twice and referred to the Committee on Interior
and Insular Affairs

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

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OFFICE OF
BUDGET AND FINANCE

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HIGHLIGHTS: Senate committee reported water resources planning bill. House committee voted to report water resources planning bill. Sen. Hartke criticized Public Law 480 aid to UAR. Sen. Yarborough commended family farmer. Sen. Neuberger inserted Sen. McGovern's speech criticizing proposed user charges on SCS technical assistance. Rep. Ashbrook criticized SCS user charges proposal and proposed reduction in ACP appropriations. Rep. Callan defended acreage allotment program for certain crops. Sen. Moss introduced and discussed bill to continue FCIC insurance in high risk areas.

SENATE

1. WATER RESOURCES. The Interior and Insular Affairs Committee reported with amendments S. 21, to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning (S. Rept. 68).
p. 3392

2. INTER-AMERICAN DEVELOPMENT BANK. Continued debate on H. R. 45, to authorize \$750 million for U. S. participation in the Fund for Special Operations of the Inter-American Development Bank (pp. 3418-32, 3443-52). Sens. Ellender and Lausche inserted tables showing the amounts of foreign aid for various purposes, including food-for-peace (pp. 3422-3, 3429).
3. INVESTIGATIONS. Sen. Simpson inserted an article stating that Sen. Williams, Del., was "told to 'lay off' his dispassionate but devastating exposure of Billie Sol Estes" and that USDA files have been combed "to 'get something' on Williams, who owns or operates 300 or 400 acres of farmland." p. 3406
4. PUBLIC LAW 480. Sen. Hartke criticized continued Public Law 480 aid to the United Arab Republic. p. 3441
5. FAMILY FARMER. Sen. Yarborough commended the family farmer and a study by Leon Keyserling which "argues eloquently and persuasively against the view that 2 1/2 million farmers should leave the land and should find improved incomes and employment elsewhere." pp. 3441-3
6. CONSERVATION. Sen. Neuberger inserted a speech by Sen. McGovern, "Time For a New Conservation Movement," in which he calls for an expanded conservation effort and criticizes the proposal for user charges on SCS technical assistance to farmers and ranchers. pp. 3452-4
7. TRADE FAIRS. Received from Commerce a proposed bill "to amend the Merchant Marine Act, 1936, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs"; to Commerce Committee. pp. 3389-90
8. TRANSPORTATION. Received from the Interstate Commerce Commission several bills to amend the Interstate Commerce Act; to Commerce Committee. p. 3390
9. ELECTRIFICATION. Received the annual report of the Federal Power Commission. p. 3390
10. FOOD MARKETING. Received from the National Commission on Food Marketing a proposed bill "to extend for 1 year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission"; to Commerce Committee. p. 3390

HOUSE

11. FOREIGN AID. Rep. Broomfield criticized continued aid to Indonesia and inserted an editorial, "Quit Helping Sukarno." pp. 3372-3
12. ELECTRIFICATION. Rep. Saylor called attention to the "very serious indictment of the Bonneville Power Administration's financial statements by the Comptroller General" and inserted excerpts from the GAO report. p. 3374
Both Houses received the annual report of the Federal Power Commission for fiscal year 1964. pp. 3394, 3390
13. CONSERVATION. Rep. Ashbrook expressed concern over "the proposals in the 1966 budget which will curtail...proven farm conservation programs of the past," mentioning particularly the proposed cut in ACP and SCS funds. pp. 3376-7

14. MANPOWER. A subcommittee of the Education and Labor Committee voted to report to the full committee H. R. 4257 and H. R. 4271, to amend the Manpower Development and Training Act of 1962. p. D126
15. BUILDINGS. Received from GSA a report on the status of construction, alteration, or acquisition of public buildings. p. 3384
16. MEAT PRICES. Received a Mont. Legislature memorial requesting a study of "prices paid to meat producers, costs of processing, and retail prices to determine if meat processors and retailers are receiving unwarranted profits." p. 3388
17. WATER RESOURCES. The Interior and Insular Affairs Committee voted to report (but did not actually report) H. R. 1111, to provide for the optimum development of the Nation's natural resources (companion to S. 21--see item 1 above). p. D127

ITEMS IN APPENDIX

18. WATER RESOURCES. Extension of remarks of Sen. Metcalf inserting resolutions of the Upper Missouri Water Users Assoc., including recommendations concerning "Federal land and water research activities, reclamation law and procedures, sugarbeet allotments, and relations between individuals States and irrigation districts." p. A788-9
19. FARM PROGRAM. Extension of remarks of Sen. Hartke inserting the text of a speech by the National Farmers Union president discussing farm policy and national legislation. p. A791-3
20. FUTURE FARMERS. Extension of remarks of Rep. Fuqua in recognition of the great contribution which the FFA has rendered to the Nation. p. A795-6
21. ACREAGE ALLOTMENTS. Extension of remarks of Rep. Callan supporting acreage allotments for certain crops and stating that studies show that farm prices would have declined in recent years without such allotments. pp. A800-1
22. APPALACHIA. Rep. Fulson inserted an article reviewing the resources of the Appalachian area and supporting enactment of the proposed Appalachia bill. pp. A802-3
23. FOREIGN TRADE. Extension of remarks of Rep. Rogers, Fla., commending a resolution adopted by the Inter-American Regional Workers Organization favoring a boycott on ships calling in Cuba. pp. A812-3

BILLS INTRODUCED

24. WATER POLLUTION. H. R. 5377 by Rep. Duncan, Oregon, to amend the Federal Water Pollution Control Act; to Public Works Committee. Remarks of author pp. 3347-8
H. R. 5411 by Rep. McGrath, to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters; to Public Works Committee.

25. PERSONNEL. H. R. 5381 by Rep. Edwards, California, and H. R. 5433 by Rep. Shipley, to modify the decrease in group life insurance at age 65 or after retirement; to Post Office and Civil Service Committee.
H. R. 5382 by Rep. Edwards, California, to correct inequities in the Civil Service Retirement Act, the Retired Federal Employees Health Benefits Act, and in other laws governing civil service retirement benefits; to Post Office and Civil Service Committee.
H. R. 5383 by Rep. Edwards, to amend the Civil Service Retirement Act, as amended, to provide annuities for surviving spouses without deduction from original annuities; to Post Office and Civil Service Committee.
26. WOOL. H. R. 5360 by Rep. Baring, to extend the operation of the National Wool Act of 1954, as amended; to Agriculture Committee.
H. R. 5416 by Rep. Morse, to amend the Tariff Act of 1930 to provide for the duty-free importation of certain wools for use in the manufacture of sweaters; to Ways and Means Committee.
27. RECREATION. H. R. 5423 by Rep. Rhodes, Pennsylvania, and S. 1265 by Sen. Clark to authorize the construction of a dam on the Susquehanna River, Pa.; to Public Works Committee. Remarks of Senator Clark p. 3394
28. FREEDOM ACADEMY. H. R. 5370 by Rep. Clausen, to create the Freedom Commission and the Freedom Academy, to conduct research to develop an integrated body of operational knowledge in the political, psychological, economic, technological, and organizational areas to increase the non-military capabilities of the United States in the global struggle between freedom and communism, to educate and train Government personnel and private citizens to understand and implement this body of knowledge, and also to provide education and training for foreign students in these areas of knowledge under appropriate conditions; to Un-American Activities Committee.
29. RESEARCH. H. R. 5373 by Rep. Corman, to provide research, technical, and financial assistance with respect to the disposal of solid wastes to the several States and political subdivisions thereof; to Interstate and Foreign Commerce Committee.
30. CONTRACTS. H. R. 5394 by Rep. Hanna, to promote fair competition among subcontractors and to prevent bid peddling on public works contracts by requiring persons submitting bids on those contracts to specify certain subcontractors who will assist in carrying them out; to Judiciary Committee.
31. FORESTRY. H. R. 5395 by Rep. Hansen, Idaho, to authorize the Secretary of the Interior to designate the Nez Perce National Historical Park in the State of Idaho; to Interior and Insular Affairs Committee.
32. TRANSPORTATION. H. R. 5401 by Rep. Harris, to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system; to Interstate and Foreign Commerce Committee.
33. INFORMATION. H. R. 5406 by Rep. Leggett, to amend section 161 of the Revised Statutes with respect to the authority of Federal officers and agencies to withhold information and limit the availability of records; to Government Operations Committee.

WATER RESOURCES PLANNING ACT

FEBRUARY 24, 1965.—Ordered to be printed

Mr. ANDERSON, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany S. 21]

The Committee on Interior and Insular Affairs, to whom was referred the bill (S. 21) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning, having considered the same, report favorably thereon with amendments and recommend that the measure, as amended, do pass.

Committee action in ordering S. 21 reported favorably with amendments was unanimous.

PURPOSE OF BILL

The purpose of S. 21, which has the bipartisan cosponsorship of Senators Anderson, Bartlett, Bible, Eastland, Hart, Hartke, Jordan of Idaho, Metcalf, McGovern, Moss, Tower, and Yarborough, is to encourage the wise management, orderly development, and highest possible uses of our water and related land resources through coordinated and cooperative efforts by Federal agencies and the State and local governments. It would attain these objectives by—

(1) establishing a Water Resources Council composed of the Secretaries of Interior, Agriculture, Army, and Health, Education, and Welfare, and the Chairman of the Federal Power Commission (such a group has been functioning, in fact, on an ad hoc basis);

(2) authorizing the creation by the President of river basin commissions for coordinated studies and planning within a State, basin, or group of basins; and

(3) providing Federal grants to the States to assist them in developing comprehensive water and related land resources plans.

Thus, S. 21 is another forward step in Federal-State cooperative planning and execution of basic programs essential to both the States and the Nation. The bill carefully spells out that none of its provisions shall "expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development or control; * * *" (sec. 3(a)).

By its terms, S. 21 would not repeal, amend, nor modify existing law, nor impinge upon the jurisdiction or authority of presently constituted agencies and specified international commissions.

PREVIOUS LEGISLATIVE ACTION

The present bill is substantially identical to S. 1111, 88th Congress, as that measure was amended and reported favorably by the House Committee on Interior and Insular Affairs after it had passed the Senate on December 4, 1963. It failed to obtain a rule prior to adjournment of the 88th Congress. S. 1111 was the subject of comprehensive hearings in September of 1963 and received widespread support from State and local government agencies and private groups. These hearings are incorporated by reference into the public hearings the Subcommittee on Irrigation and Reclamation held February 5, 1965, on S. 21 at which Mr. Elmer B. Staats, Deputy Director, Bureau of the Budget, expressed the strong support of the administrative agencies for the measure.

BACKGROUND

S. 21 and its predecessor bills are a direct outgrowth of findings and recommendations of the Senate Select Committee on National Water Resources, of which the late Senator Robert S. Kerr, of Oklahoma, was chairman. In its notable report, published January 30, 1961, the committee found that six types of water problems confront various areas of the Nation: Supply, distribution, natural quality, pollution, variability, and floods.

It found that five major regions in the Nation will have inadequate water supply in 1980 to meet anticipated increases in population and economic activity even with full development:

1. South Pacific.
2. Colorado River Basin.
3. Great Basin (Utah-Nevada-California).
4. Upper Rio Grande-Pecos.
5. Upper Missouri River Basin.

By the year 2000, the select committee foresaw supply shortages also in the Upper Arkansas-Red River Basins, the western Great Lakes States, and the Louisiana-Texas western gulf area.

Other major areas of the Nation, the committee found, would have adequate usable water only if they invest billions in pollution control, recycling, storage reservoirs to level out variable seasonal flows, and establish more efficient management practices.

The whole great industrial area of the United States from Boston south to Norfolk, Va., and then sweeping west in a great band to Kansas City and Sioux Falls, S. Dak., was found to be in the latter category.

The Senate select committee made five major recommendations. Shortened, they were:

1. The Federal Government, in cooperation with the States, should prepare and keep up to date plans for comprehensive water development and management for all major river basins in the United States * * *.

2. The Federal Government should stimulate more active participation by States in planning and undertaking water development and management activities by setting up a 10-year program of grants to the States for water resources planning. A minimum of \$5 million should be made available annually for matching by States * * *.

3. The Federal Government should undertake a coordinated scientific research program on water * * *.

4. The Federal Government should prepare biennially an assessment of the water supply-demand outlook for each of the water resource regions of the United States * * *.

5. The Federal Government in cooperation with the States should take * * * steps to encourage efficiency in water development and use * * *.

The third recommendation has been enacted into law with the passage of S. 2, 88th Congress, which became Public Law 88-379, the Water Resources Research Act.

S. 21 is intended to implement the remaining recommendations.

President John F. Kennedy, on July 13, 1961, transmitted to Congress the original river basin planning bill, which became S. 2246 of the 87th Congress. Its objectives, to provide for development of comprehensive river basin plans, biennial assessments of regional water needs and supplies, aid to the States, and encouragement of more efficient water development, management, and use, were the same as the objectives in the pending bill, as was much of the language.

Title I of President Kennedy's bill provided for a Federal Water Resources Council, giving it responsibility for the biennial water surveys, stimulation of river basin planning, and administration of aid to the States.

Title II of President Kennedy's bill provided for the establishment of river basin planning commissions, including representatives of the States, whose members would all, however, be appointed by the President. The title was nearly identical to a river basin planning commission act submitted to Congress, January 16, 1961, by the preceding national administration.

Title III of President Kennedy's bill provided for \$5 million aid to States each year for 10 years for water resources planning, as proposed in bills then pending in Congress by Senator Robert Kerr, chairman of the select committee, and Senator Clinton P. Anderson, a committee member.

Hearings on S. 2246 were held jointly in 1961 by the Senate Interior and Insular Affairs Committee and the Senate Committee on Public Works.

Representatives of the Interstate Conference on Water Problems and many others opposed portions of the bill, urging that it include a recognition of "primary" interest on the part of the States in water resources, and that the States appoint and compensate their own representatives on any basin commissions which might be created,

giving the States full and direct representation and participation as autonomous units of government.

A second hearing was conducted by the Committee on Interior and Insular Affairs in 1962 to receive the detailed views of States presented by the Interstate Conference on Water Problems and other witnesses.

Throughout the fall and winter of 1962-63, representatives of the Interior Committee, the interstate conference, and other interested organizations conferred repeatedly on satisfactory draft of legislation.

The Nation had for 55 years unsuccessfully sought a formula for comprehensive river basin planning. In February 3, 1908, President Theodore Roosevelt's Inland Waterways Commission recommended "prompt and vigorous action" by the States and the Federal Government to develop comprehensive plans for all the Nation's river basins.

In the intervening years many approaches have been attempted. No general planning mechanism has been adopted. A few basin plans have been developed by independently authorized commissions or administrative agencies. A few are reasonably comprehensive. Others are not at all comprehensive, and are for limited purposes only.

In a few river basins, planning agencies have been established which have Federal and State support and cooperation, including the Tennessee Valley Authority, the Columbia Basin Interagency Committee, and the Delaware River Basin Compact Commission. The Interior Department, in its report of September 11, 1963, on S. 1111, 88th Congress, correctly assumed that the bill did not intend to supplant or supersede such established planning bodies, and the committee affirms this legislative intent with respect to S. 21.

Through the years since 1908, however, the State and Federal Governments' differences have prevented widespread, comprehensive, multiple-purpose planning of water and related land resources in most river basins. Prior to the general agreement on S. 1111 of the last Congress, a general pattern for planning has been impossible to achieve.

FEDERAL-STATES RIGHTS NOT INVOLVED

In approaching the problem of developing a pattern for planning which might prove widely acceptable to State and Federal interests and expedite planning, conferees on President Kennedy's proposal first agreed that the final measure should avoid any attempt to adjudicate or affect State and Federal authorities over water and related land resources, or to displace any established agencies or in any way alter existing interstate and State-Federal arrangements or compacts, such as the Colorado River compact with its Upper and Lower Colorado Basin divisions. Section 3 of S. 21 is a statement and proposed enactment of these basic purposes, as follows:

SEC. 3. Nothing in this Act shall be construed—

(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit, or modify the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects; nor to limit the

use of other mechanisms, if preferred by the participating governmental units, in the water resources field;

(b) as superseding, modifying, or repeating existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources, or to exercise licensing or regulatory functions in relation thereto; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or of the International Boundary and Water Commission, United States and Mexico.

The committee believes that when water problems are approached from a planning basis, by planners for optimum development, State and Federal rights issues will seldom, if ever, create deadlocks. Benefits which may result from various engineering plans are calculable and measurable, and provide a tangible, factual basis for agreement on project plans.

The resolution of the States' rights issue in the field of water resource development, if it is in fact an issue, should be the subject of separate legislation.

The committee is convinced that the planning and water rights issues have been successfully separated and that S. 21 will not directly nor indirectly affect the rights and jurisdiction of either the States or Federal Government over development of water resources.

THE COMMITTEE AMENDMENTS

In addition to certain technical corrections in language and style, the committee adopted the following substantive amendments:

(1) Page 2, line 12, the word "modify" was added to give further certainty to the disclaimer of any intent that the bill will in any way affect existing Federal-State relationships with respect to responsibility, jurisdiction, and rights over water and water resource development.

(2) Page 3, line 1, after the word "Canada" add: "the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Treaty." Clearly, the functions of these agencies, along with those of the Joint Commission and the Mexican Boundary and Water Commission, all of which were established by treaty for international waters, should not be within the purview of unilateral planning by a domestic organization within the United States.

(3) Page 3, line 16, after the word "biennial" add "or at such less frequent intervals as the Council may determine." This amendment was recommended by the Bureau of the Budget which urged that there be some flexibility in the frequency of such assessments. The Council itself would be in the best position to judge individual cases.

(4) Page 7, line 21, change the period after the word "located" to a colon and add: "Provided, That for the purposes of this Act, the Upper Colorado River Basin shall be considered a separate river

basin." This amendment recognizes that the Upper and Lower Colorado River Basins are in law and in fact two separate basins with separate problems and separate planning needs.

(5) Page 8, after line 20, add a new subsection, subsection (c), as follows:

(c) The provisions of this title II shall not apply to the Columbia River Basin.

The reason for exempting the Columbia Basin from the river basin commission provisions of S. 21 is that in the Columbia, cooperative State and Federal arrangements for basinwide planning of resource development have been established for many years. A Columbia Basin Interagency Committee is in existence. It already is carrying out the functions that a commission established pursuant to title II would perform, and the committee deemed it wise to avoid needless duplication. The States of the Columbia Basin would, of course, participate in the States assistance program provided by title III.

(6) Page 16, line 10, after the word "commission" add the words "with the approval of the vice chairman." This amendment was adopted to make certain that the States would have a voice in selection of staff and expert consultants, assignment of duties, and in the use and expenditure of funds available to a commission.

(7) Page 24, line 16, after the word "sums" add "not to exceed \$10 million annually." This is simply a limitation on the amounts that may be appropriated yearly for the activities of the Water Resources Council established by title I, the creation and functioning of the river basin commissions authorized by title II, and the expenses of administering the planning assistance to the States envisioned by title III. Appropriation authorization for grants to the States is provided for separately in title III.

EXECUTIVE AGENCY REPORTS

The favorable reports on S. 21 submitted by the Department of the Interior, the Bureau of the Budget, and the Federal Power Commission are set forth in full below. In addition, the reports on S. 1111, 88th Congress, of the Department of Agriculture, the Department of the Army, the Department of Justice, and the Department of Health, Education, and Welfare, are incorporated, by reference into this report.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 2, 1965.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: This responds to your request for the views of this Department on S. 21, a bill to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

This is the proposed Water Resources Planning Act. We are most pleased to recommend its enactment.

The title of this bill states its objective, that the optimum contribution of America's water and related land resources to the national well-being shall be realized, and outlines the mechanism for accomplishing that objective, coordinated planning by a Federal Water Resources Council and Federal-State river basin commissions, with financial support for planning by the States.

Title I of the bill would establish a Cabinet-level Water Resources Council to achieve uniformity in Federal water resource planning activity. The membership of the Council would be the heads of agencies with responsibilities for conservation, development, and use of water and related land resources; namely, the Secretaries of the Interior, Army, Agriculture, and Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Water Resources Council would also review the comprehensive plans prepared by the river basin commissions and make recommendations respecting those plans to the President for transmittal to the Congress.

Title II of the bill would create a framework for establishing joint Federal-State commissions where needed for planning the comprehensive development of the water and related land resources in a river basin, region, or group of related river basins. These commissions would prepare comprehensive joint plans for the development of the water and related land resources of their area for submission to the Congress through the Water Resources Council and the President.

Title III of the bill would authorize Federal grants to assist the States in carrying out their important water planning responsibilities.

We have not discussed the provisions of S. 21 in detail in this letter. How best to organize for the coordinated planning for development of the Nation's water and related land resources has been exhaustively considered in the States, the Congress, and the Federal executive branch for almost 4 years. S. 21 is the product of those deliberations. It is identical to S. 1111 of the 88th Congress as it was reported by the House Committee on Interior and Insular Affairs. As such, this bill is the end product of constructive, cooperative thinking on what pattern of organization will produce the best plans for developing our water and related land resources in the best interests of the Nation. We in the Department of the Interior are in accord with this thinking, and recommend that the Congress enact the bill.

The Bureau of the Budget has advised that enactment of the bill would be in accord with the President's program.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., February 4, 1965.

HON. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for our views on S. 21, a bill to provide for the optimum development of the

Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

For the reasons set out in the statement on this bill which I am presenting to your committee on behalf of the executive branch and subject to consideration of an amendment recommended in that statement, the Bureau of the Budget urges favorable consideration of S. 21, the enactment of which would be in accord with the program of the President.

Sincerely yours,

ELMER B. STAATS,
Deputy Director.

SUPPLEMENTAL TO STATEMENT BY ELMER B. STAATS, DEPUTY DIRECTOR, BUREAU OF THE BUDGET, BEFORE THE SUBCOMMITTEE ON IRRIGATION AND RECLAMATION OF THE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS OF THE SENATE ON S. 21, "WATER RESOURCES PLANNING ACT"

Outlined below is a brief description of the main aspects of the bill. Title I would establish the Water Resources Council. The Council would be a Federal interagency council for the purposes of—

1. maintaining a continuing study and biennial assessment of the adequacy of water supplies to meet water requirements;
2. reviewing the plans of river basin commissions;
3. coordinating Federal planning efforts;
4. appraising the adequacy of existing and proposed policies and programs; and
5. making recommendations to the President with respect to Federal policies and programs.

The Council would consist of the Secretaries of the Interior, Agriculture, Army, and Health, Education, and Welfare, and the Chairman of the Federal Power Commission.

The heads of other interested agencies would, from time to time, be requested to participate with the Council as problems involving their areas of concern arose. The Council Chairman would be designated by the President. The Council would employ and maintain its own staff. It would provide an effective focal point and mechanism for coordinating the many planning activities of the several Federal agencies concerned with the conservation, development, and use of water resources.

Title II would establish river basin commissions. These commissions would be the principal agencies for the coordination of Federal, State, interstate, and local plans for the development of water and related land resources in the area or basin for which they are established. They would prepare, and keep up to date, comprehensive and coordinated plans which would include an evaluation of all reasonable alternatives for achieving optimum development of water and related land resources.

The commissions would recommend long-range schedules of priorities for basic data collection and analysis, and for the investigation, planning, and construction of water resources projects. They would

submit annual reports to the Council, the Governors of participating States, the President, and the Congress on their activities.

The commissions would be composed of Federal, State, and interstate compact members in order to bring integrated, cooperative effort to this important undertaking. They would, like the Council, maintain adequate staffs to aid them in their work.

Title III of the bill provides for financial assistance to the States for comprehensive planning grant authorizations. The purpose of these grants is to aid the States in increasing their role in planning efforts.

These grants would be administered by the Council, which would prescribe rules and procedures relating to their use. S. 21 authorizes a total of \$5 million per year for each of the 10 fiscal years following enactment of this legislation to cover the costs of the grants.

Provision is made in the bill for an equitable distribution of the grants based on a formula of population, land area, and planning and financial needs. The bill authorizes grants up to 50 percent of the cost of carrying out a given State planning program, including the cost of training personnel to carry out the program and the cost of administering it.

Title IV is a miscellaneous title which provides for authorization of appropriations necessary to carry out the provisions of the bill. Also under this title, the Council is authorized to make necessary rules and regulations to carry out the provisions of the act which are administered by it. And it is authorized to delegate its administrative functions under section 105 of the bill and the detailed administration of the grant program under title III to any member or employee of the Council. The final provision of title IV allows the Council, with departmental consent, to employ officers and employees of a given Federal agency, on a reimbursable basis, as necessary to execute the provisions of the act.

FEDERAL POWER COMMISSION REPORT ON S. 21, 89TH CONGRESS

The proposed legislation, which would be known as the Water Resources Planning Act, declares the policy of Congress to encourage the conservation, development, and utilization of water and related land resources on a comprehensive and coordinated basis with the cooperation of Federal, State, and local governments and others concerned. To implement this policy the bill would create a Water Resources Council composed of the Secretaries of the Interior, Agriculture, the Army, and Health, Education, and Welfare, and the Chairman of the Federal Power Commission as regular members. The Council would be an interagency coordinating group charged with broad responsibilities for formulating, evaluating, and coordinating water resources plans on a national basis. The bill would also provide for the setting up of intergovernmental river basin commissions, composed of representatives of interested State and Federal agencies. These commissions would be responsible for preparing and coordinating regional or area plans. Appropriations of \$5 million annually for 10 years would be authorized to assist the States in water and related land resources planning.

The desirability of establishing formally an effective coordinating entity in the field of water resources planning and development has

been generally recognized in recent years.¹ This need has been particularly evident with respect to coordination of Federal and non-Federal development. Establishment of the proposed machinery to facilitate participation by State and local interests should lead to fuller understanding and more effective cooperation between the United States and State and local interests concerned with the development of water and related land resources.

S. 21 would make it possible for the Federal Power Commission, by means of the membership of its Chairman on the proposed Water Resources Council, to bring to bear its long experience in comprehensive planning of water resources projects derived from administration of the Federal Power Act and from participation in planning Federal river development projects under various other acts.

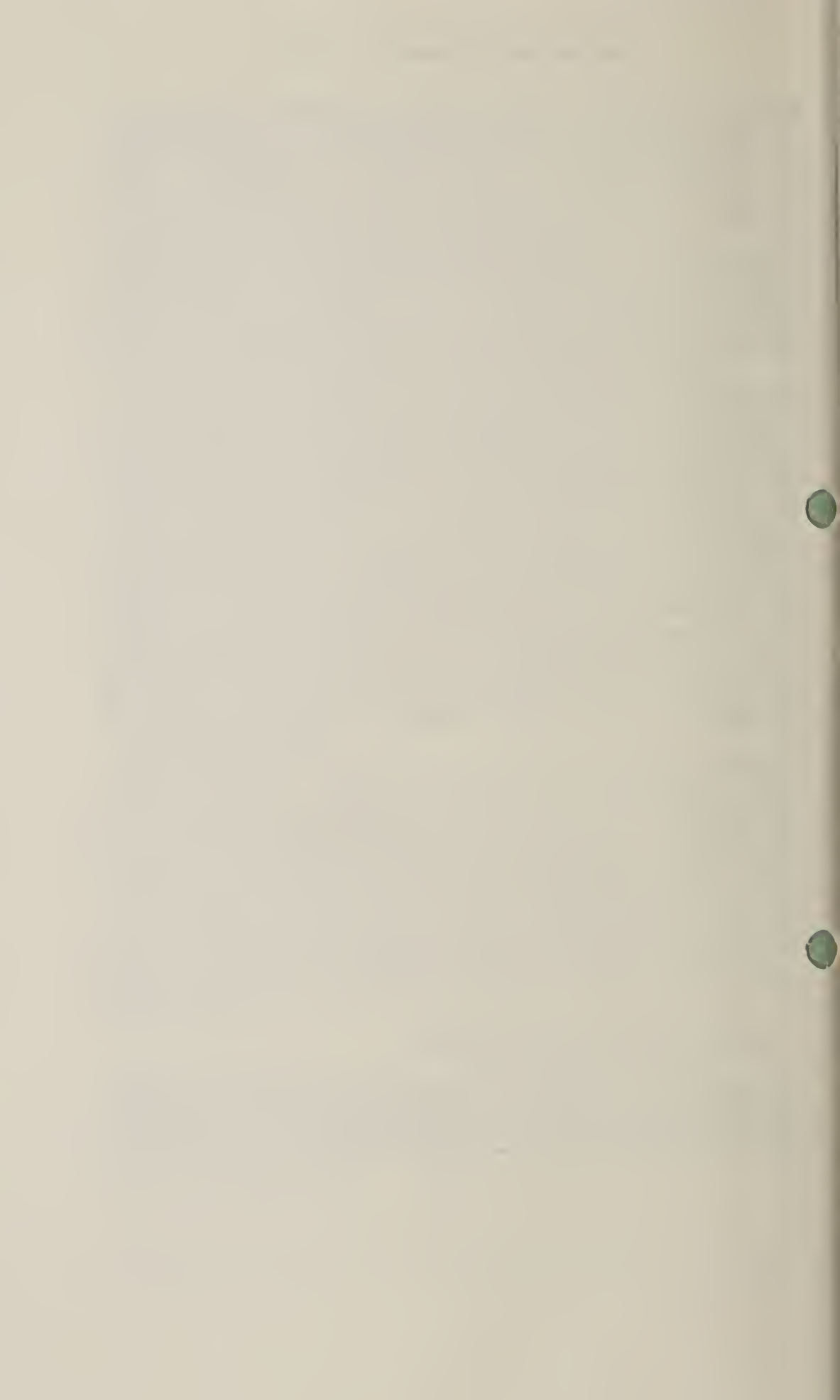
Under the broad provisions of the Federal Power Act the Commission, in addition to licensing non-Federal hydroelectric developments, has over the years studied power possibilities on streams throughout the United States and has accumulated and keeps current a large volume of data on all segments of the power industry, publicly and privately owned, its capacity, operations, requirements, loads, locations, and interconnections. As part of the "National Power Survey," recently published by the Commission, a survey of the Nation's hydropower potential was undertaken which emphasized the need for long-range comprehensive plans to harmonize the requirements of all water uses. In connection with other statutory responsibilities, the Commission cooperates with Federal constructing agencies in developing plans for the comprehensive development of river basins; and since 1943 the Commission has been a full member of the Federal Interagency Committee on Water Resources (and its predecessor committee) established to coordinate the planning and development of river basin projects.

Section 3 of the bill preserves the Commission's licensing and related statutory functions. Section 103 assigns to the Water Resources Council the vitally important function of establishing guiding principles, standards, and procedures for Federal projects. With regular membership on the Water Resources Council provided in section 101, the Commission will be able to continue to fulfill its statutory functions effectively and at the same time contribute to the work of the Council.

S. 21 is substantially similar to S. 1111, 88th Congress, which was passed by the Senate on December 4, 1963, and on which we favorably reported to the House committee on March 23, 1964 (H. Rept. 1877, 88th Cong.). We continue to support this bill and recommend its early enactment.

FEDERAL POWER COMMISSION,
By JOSEPH C. SWIDLER, *Chairman*.

¹ See the January 17, 1956, report of the Presidential Advisory Committee on Water Resources Policy (H. Doc. 315, 84th Cong., 2d sess.), the June 1955 report on Water Resources and Power submitted by the Commission on Organization of the Executive Branch of the Government (known as the Second Hoover Commission), the June 1955 report and accompanying studies on natural resources and conservation submitted by the Commission on Intergovernmental Relations, and the January 30, 1961, report (S. Rept. 29, 87th Cong., 1st sess.), submitted by the Select Committee on National Water Resources set up pursuant to S. Res. 48 of the 86th Cong.



S. 21

[Report No. 68]

IN THE SENATE OF THE UNITED STATES

JANUARY 6, 1965

MR. ANDERSON (for himself, Mr. BARTLETT, Mr. BIBLE, Mr. EASTLAND, Mr. HART, Mr. HARTKE, Mr. JORDAN of Idaho, Mr. KUCHEL, Mr. MCGOVERN, Mr. METCALF, Mr. MOSS, Mr. TOWER, and Mr. YARBOROUGH) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

FEBRUARY 24, 1965

Reported by Mr. ANDERSON, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SHORT TITLE

SECTION 1. This Act may be cited as the “Water Resources Planning Act”.

1 STATEMENT OF POLICY

2 SEC. 2. In order to meet the rapidly expanding demands
3 for water throughout the Nation, it is hereby declared to be
4 the policy of the Congress to encourage the conservation, de-
5 velopment, and utilization of water and related land resources
6 of the United States on a comprehensive and coordinated
7 basis with the cooperation of all affected Federal agencies,
8 States, local governments, and others concerned.

9 EFFECT ON EXISTING LAWS

10 SEC. 3. Nothing in this Act shall be construed—

11 (a) to expand or diminish either Federal or State
12 jurisdiction, responsibility, or rights in the field of water
13 resources planning, development, or control; nor to dis-
14 place, supersede, ~~or~~ limit *or modify* any interstate com-
15 pact or the jurisdiction or responsibility of any legally
16 established joint or common agency of two or more
17 States, or of two or more States and the Federal Govern-
18 ment; nor to limit the authority of Congress to authorize
19 and fund projects;

20 (b) as superseding, modifying, or repealing exist-
21 ing laws applicable to the various Federal agencies
22 which are authorized to develop or participate in the
23 development of water and related land resources, or to
24 exercise licensing or regulatory functions in relation
25 thereto; nor to affect the jurisdiction, powers, or pre-

rogatives of the International Joint Commission, United States and Canada, *the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961*, or of the International Boundary and Water Commission, United States and Mexico.

TITLE I—WATER RESOURCES COUNCIL

SEC. 101. There is hereby established a Water Resources Council (hereinafter referred to as the "Council") which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Chairman of the Council shall request the heads of other agencies to participate with the Council when matters affecting their responsibilities are considered by the Council. The Chairman of the Council shall be designated by the President.

SEC. 102. The Council shall—

(a) maintain a continuing study and prepare a ~~biennial~~ *biennial, or at such less frequent intervals as the Council may determine*, assessment of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and

1 (b) maintain a continuing study of the relation
2 of regional or river basin plans and programs to the
3 requirements of larger regions of the Nation, and of
4 the adequacy of administrative and statutory means for
5 the coordination of the water and related land resources
6 policies and programs of the several Federal agencies;
7 it shall appraise the adequacy of existing and pro-
8 posed policies and programs to meet such requirements;
9 and it shall make recommendations to the President with
10 respect to Federal policies and programs.

11 SEC. 103. The Council shall establish, with the approval
12 of the President, principles, standards, and procedures for
13 Federal participants in the preparation of comprehensive
14 regional or river basin plans and for the formulation and
15 evaluation of Federal water and related land resources proj-
16 ects. Such procedures may include provision for Council
17 revision of plans for Federal projects intended to be pro-
18 posed in any plan or revision thereof being prepared by
19 a river basin planning commission.

20 SEC. 104. Upon receipt of a plan or revision thereof
21 from any river basin commission under the provisions of sec-
22 tion 204~~(a)~~ (3) of this Act, the Council shall review the
23 plan or revision with special regard to—

24 (1) the efficacy of such plan or revision in achiev-

ing optimum use of the water and related land resources
in the area involved;

(2) the effect of the plan on the achievement of
other programs for the development of agricultural,
urban, energy, industrial, recreational, fish and wildlife,
and other resources of the entire Nation; and

(3) the contributions which such plan or revision
will make in obtaining the Nation's economic and social
goals.

Based on such review the Council shall—

(a) formulate such recommendations as it deems
desirable in the national interest; and

(b) transmit its recommendations, together with
the plan or revision of the river basin commission, and
the views, comments, and recommendations with respect
to such plan or revision submitted by any Federal
agency, Governor, interstate commission, or United
States section of an international commission, to the
President for his review and transmittal to the Congress
with his recommendations in regard to authorization of
Federal projects.

SEC. 105. (a) For the purpose of carrying out the pro-
visions of this Act, the Council may: (1) hold such hear-
ings, sit and act at such times and places, take such testimony,

1 receive such evidence, and print or otherwise reproduce and
2 distribute so much of its proceedings and reports thereon as
3 it may deem advisable; (2) acquire, furnish, and equip such
4 office space as is necessary; (3) use the United States mails
5 in the same manner and upon the same conditions as other
6 departments and agencies of the United States; (4) employ
7 and fix the compensation of such personnel as it deems ad-
8 visable, in accordance with the civil service laws and Classi-
9 fication Act of 1949, as amended; (5) procure services as
10 authorized by section 15 of the Act of August 2, 1946 (5
11 U.S.C. 55a), at rates not to exceed \$100 per diem for indi-
12 viduals; (6) purchase, hire, operate, and maintain passenger
13 motor vehicles; and (7) incur such necessary expenses and
14 exercise such other powers as are consistent with and rea-
15 sonably required to perform its functions under this Act.

16 (b) Any member of the Council is authorized to ad-
17 minister oaths when it is determined by a majority of the
18 Council that testimony shall be taken or evidence received
19 under oath.

20 (c) To the extent permitted by law, all appropriate
21 records and papers of the Council may be made available
22 for public inspection during ordinary office hours.

23 (d) Upon request of the Council, the head of any Fed-
24 eral department or agency is authorized (1) to furnish to
25 the Council such information as may be necessary for carry-

ing out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such Council on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The Council shall be responsible for (1) the appointment and supervision of personnel, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds.

TITLE II—RIVER BASIN COMMISSIONS

CREATION OF COMMISSIONS

SEC. 201. (a) The President is authorized to declare the establishment of a river basin water and related land resources commission upon request therefor by the Council, or request addressed to the Council by a State within which all or part of the basin or basins concerned are located if the request by the Council or by a State (1) defines the area, river basin, or group of related river basins for which a commission is requested, (2) is made in writing by the Governor or in such manner as State law may provide, or by the Council, and (3) is concurred in by the Council and by not less than one-half of the States within which portions of the basin or basins concerned are located: *Provided, That for*

1 *the purposes of this act, the Upper Colorado River Basin*
2 *shall be considered a separate river basin. Such concurrences*
3 *shall be in writing.*

4 (b) Each such commission for an area, river basin, or
5 group of river basins shall, to the extent consistent with
6 section 3 of this Act—

7 (1) serve as the principal agency for the coordina-
8 tion of Federal, State, interstate, and local plans for the
9 development of water and related land resources in its
10 area, river basin, or group of river basins;

11 (2) prepare and keep up to date, to the extent
12 practicable, a comprehensive, coordinated, joint plan for
13 Federal, State, interstate, and local development of
14 water and related resources: *Provided*, That the plan
15 shall include an evaluation of all reasonable alternative
16 means of achieving optimum development of water and
17 related land resources of the basin or basins, and it
18 may be prepared in stages, including recommendations
19 with respect to individual projects;

20 (3) recommend long-range schedules of priorities
21 for the collection and analysis of basic data and for in-
22 vestigation, planning, and construction of projects; and

23 (4) foster and undertake such studies of water and
24 related land resources problems in its area, river basin,

or group of river basins as are necessary in the preparation of the plan described in clause (2) of this subsection.

(c) The provisions of this Title II shall not apply in the Columbia River Basin.

MEMBERSHIP OF COMMISSIONS

SEC. 202. Each river basin commission shall be composed of members appointed as follows:

(a) A chairman appointed by the President who shall also serve as chairman and coordinating officer of the Federal members of the commission and who shall represent the Federal Government in Federal-State relations on the commission and who shall not, during the period of his service on the commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the Federal Government;

(b) One member from each Federal department or independent agency determined by the President to have a substantial interest in the work to be undertaken by the commission, such member to be appointed by the head of such department or independent agency and to serve as the representative of such department or independent agency;

(c) One member from each State which lies wholly or partially within the area, river basin, or group of river

1 basins for which the commission is established, and the ap-
2 pointment of each such member shall be made in accordance
3 with the laws of the State which he represents. In the
4 absence of governing provisions of State law, such State
5 members shall be appointed and serve at the pleasure of the
6 Governor;

7 (d) One member appointed by any interstate agency
8 created by an interstate compact to which the consent of
9 Congress has been given, and whose jurisdiction extends
10 to the waters of the area, river basin, or group of river
11 basins for which the river basin commission is created;

12 (e) When deemed appropriate by the President, one
13 member, who shall be appointed by the President, from the
14 United States section of any international commission created
15 by a treaty to which the consent of the Senate has been
16 given, and whose jurisdiction extends to the waters of the
17 area, river basin, or group of river basins for which the
18 river basin commission is established.

19 ORGANIZATION OF COMMISSIONS

20 SEC. 203. (a) Each river basin commission shall or-
21 ganize for the performance of its functions within ninety
22 days after the President shall have declared the establish-
23 ment of such commission, subject to the availability of
24 funds for carrying on its work. A commission shall termi-
25 nate upon agreement of the Council or agreement of a ma-

1 jority of the States composing the commission. Upon such
2 termination, all property, assets, and records of the commis-
3 sion shall thereafter be turned over to such agencies of the
4 United States and the participating States as shall be appro-
5 priate in the circumstances: *Provided*, That studies, data,
6 and other materials useful in water and related land resource
7 planning to any of the participants shall be kept freely avail-
8 able to all such participants.

9 (b) State members of each commission shall elect a
10 vice chairman, who shall serve also as chairman and co-
11 ordinating officer of the State members of the commission and
12 who shall represent the State governments in Federal-State
13 relations on the commission.

14 (c) Vacancies in a commission shall not affect its
15 powers but shall be filled in the same manner in which the
16 original appointments were made: *Provided*, That the chair-
17 man and vice chairman may designate alternates to act for
18 them during temporary absences.

19 (d) In the work of the commission every reasonable
20 endeavor shall be made to arrive at a consensus of all mem-
21 bers on all issues; but failing this, full opportunity shall be
22 afforded each member for the presentation and report of
23 individual views: *Provided*, That at any time the com-
24 mission fails to act by reason of absence of consensus, the
25 position of the chairman, acting in behalf of the Federal

1 members, and the vice chairman, acting upon instructions of
2 the State members, shall be set forth in the record: *Provided*
3 *further*, That the chairman, in consultation with the vice
4 chairman, shall have the final authority, in the absence of
5 an applicable bylaw adopted by the commission or in the
6 absence of a consensus, to fix the times and places for meet-
7 ings, to set deadlines for the submission of annual and other
8 reports, to establish subcommittees, and to decide such other
9 procedural questions as may be necessary for the commission
10 to perform its functions.

11 DUTIES OF THE COMMISSIONS

12 SEC. 204. Each river basin commission shall—

13 (1) engage in such activities and make such studies
14 and investigations as are necessary and desirable in
15 carrying out the policy set forth in section 2 of this Act
16 and in accomplishing the purposes set forth in section
17 201 (b) of this Act;

18 (2) submit to the Council and the Governor of
19 each participating State a report on its work at least
20 once each year. Such report shall be transmitted
21 through the President to the Congress. After such
22 transmission, copies of any such report shall be sent to
23 the heads of such Federal, State, interstate, and inter-
24 national agencies as the President or the Governors of
25 the participating States may direct;

(3) submit to the Council for transmission to the President and by him to the Congress, and the Governors and the legislatures of the participating States a comprehensive, coordinated, joint plan, or any major portion thereof or necessary revisions thereof, for water and related land resources development in the area, river basin, or group of river basins for which such commission was established. Before the commission submits such a plan or major portion thereof or revision thereof to the Council, it shall transmit the proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and each interstate agency, from which a member of the commission has been appointed, and to the head of the United States section of any international commission if the plan, portion or revision deals with a boundary water or a river crossing a boundary, or any tributary flowing into such boundary water or river, over which the international commission has jurisdiction or for which it has responsibility. Each such department and agency head, Governor, interstate agency, and United States section of an international commission shall have ninety days from the date of the receipt of the proposed plan, portion or revision to report its views, comments, and recom-

1 mendations to the commission. The commission may
 2 modify the plan, portion or revision after considering
 3 the ~~report~~ *reports* so submitted. The views, comments,
 4 and recommendations submitted by each Federal depart-
 5 ment or agency head, Governor, interstate agency, and
 6 United States section of an international commission
 7 shall be transmitted to the Council with the plan, portion
 8 or revision; and

9 (4) submit to the Council at the time of submitting
 10 such plan, any recommendations it may have for con-
 11 tinuing the functions of the commission and for im-
 12 plementing the plan, including means of keeping the
 13 plan up to date.

14 POWERS AND ADMINISTRATIVE PROVISIONS OF THE
 15 COMMISSIONS

16 SEC. 205. (a) For the purpose of carrying out the
 17 provisions of this title, each river basin commission may—

18 (1) hold such hearings, sit and act at such times
 19 and places, take such testimony, receive such evidence,
 20 and print or otherwise reproduce and distribute so
 21 much of its proceedings and reports thereon as it may
 22 deem advisable;

23 (2) acquire, furnish, and equip such office space as
 24 is necessary;

25 (3) use the United States mails in the same manner

1 and upon the same conditions as departments and agen-
2 cies of the United States;

3 (4) employ and compensate such personnel as it
4 deems advisable, including consultants, at rates not to
5 exceed \$100 per diem;

6 (5) arrange for the services of personnel from any
7 State or the United States, or any subdivision or agency
8 thereof, or any intergovernmental agency;

9 (6) make arrangements, including contracts, with
10 any participating government, except the United States
11 or the District of Columbia, for inclusion in a suitable
12 retirement and employee benefit system of such of its
13 personnel as may not be eligible for or continuing in
14 another governmental retirement or employee benefit
15 system, or otherwise provide for such coverage of its
16 personnel;

17 (7) purchase, hire, operate, and maintain passenger
18 motor vehicles; and

19 (8) incur such necessary expenses and exercise such
20 other powers as are consistent with and reasonably re-
21 quired to perform its functions under this Act.

22 (b) The chairman of a river basin commission, or any
23 member of such commission designated by the chairman
24 thereof for the purpose, is authorized to administer oaths

1 when it is determined by a majority of the commission that
2 testimony shall be taken or evidence received under oath.

3 (c) To the extent permitted by law, all appropriate
4 records and papers of each river basin commission shall be
5 made available for public inspection during ordinary office
6 hours.

7 (d) Upon request of the chairman of any river basin
8 commission, or any member or employee of such commis-
9 sion designated by the chairman thereof for the purpose,
10 the head of any Federal department or agency is authorized
11 (1) to furnish to such commission such information as may
12 be necessary for carrying out its functions and as may be
13 available to, or procurable by such department or agency,
14 and (2) to detail to temporary duty with such commission
15 on a reimbursable basis such personnel within his adminis-
16 trative jurisdiction as it may need or believe to be useful for
17 carrying out its functions, each such detail to be without loss
18 of seniority, pay, or other employee status.

19 (e) The chairman of each river basin ~~commission shall,~~
20 *commission, with the approval of the vice chairman,* in accord-
21 ance with the general policies of such commission with
22 respect to the work to be accomplished by it and the timing
23 thereof, *shall* be responsible for (1) the appointment and
24 supervision of personnel employed by such commission, (2)
25 the assignment of duties and responsibilities among such per-

1 sonnel, and (3) the use and expenditures of funds available
2 to such commission.

3 COMPENSATION OF COMMISSION MEMBERS

4 SEC. 206. (a) Any member of a river basin commis-
5 sion appointed pursuant to section 202 (b) and (e) of this
6 Act shall receive no additional compensation by virtue of
7 his membership on the commission, but shall continue to
8 receive, from appropriations made for the agency from which
9 he is appointed, the salary of his regular position when
10 engaged in the performance of the duties vested in the
11 commission.

12 (b) Members of a commission, appointed pursuant to
13 section 202 (c) and (d) of this Act, shall each receive such
14 compensation as may be provided by the States or the inter-
15 state agency respectively, which they represent.

16 (c) The per annum compensation of the chairman of
17 each river basin commission shall be determined by the
18 President, but when employed on a full-time annual basis
19 shall not exceed the maximum scheduled rate for grade
20 GS-18 of the Classification Act of 1949, as amended; or
21 when engaged in the performance of the commission's duties
22 on an intermittent basis such compensation shall be not more
23 than \$100 per day and shall not exceed \$12,000 in any year.

24 SEC. 207. (a) Each commission shall recommend what

1 share of its expenses shall be borne by the Federal Govern-
2 ment, but such share shall be subject to approval by the
3 Council. The remainder of the commission's expenses shall
4 be otherwise apportioned as the commission may determine.
5 Each commission shall prepare a budget annually and trans-
6 mit it to the Council and the States. Estimates of proposed
7 appropriations from the Federal Government shall be in-
8 cluded in the budget estimates submitted by the Council
9 under the Budgeting and Accounting Act of 1921, as
10 amended, and may include an amount for advance to a
11 commission against State appropriations for which delay is
12 anticipated by reason of later legislative sessions. All sums
13 appropriated to or otherwise received by a commission shall
14 be credited to the commission's account in the Treasury of
15 the United States.

16 (b) A commission may accept for any of its purposes
17 and functions appropriations, donations, and grants of
18 money, equipment, supplies, materials, and services from
19 any State or the United States or any subdivision or agency
20 thereof, or intergovernmental agency, and may receive, uti-
21 lize, and dispose of the same.

22 (c) The commission shall keep accurate accounts of all
23 receipts and disbursements. The accounts shall be audited at
24 least annually in accordance with generally accepted auditing
25 standards by independent certified or licensed public account-

1 ants, certified or licensed by a regulatory authority of a
2 State, and the report of the audit shall be included in and
3 become a part of the annual report of the commission.

4 (d) The accounts of the commission shall be open at all
5 reasonable times for inspection by representatives of the juris-
6 dictions and agencies which make appropriations, donations,
7 or grants to the commission.

8 TITLE III—FINANCIAL ASSISTANCE TO THE
9 STATES FOR COMPREHENSIVE PLANNING
10 ~~GRANT AUTHORIZATION~~ *AUTHORIZATIONS*

11 SEC. 301. (a) In recognition of the need for increased
12 participation by the States in water and related land re-
13 sources planning to be effective, there are hereby authorized
14 to be appropriated to the Council for the next fiscal year
15 beginning after the date of enactment of this Act, and for the
16 nine succeeding fiscal years thereafter, \$5,000,000 in each
17 such year for grants to States to assist them in developing
18 and participating in the development of comprehensive water
19 and related land resources plans.

20 (b) The Council, with the approval of the President,
21 shall prescribe such rules, establish such procedures, and
22 make such arrangements and provisions relating to the per-
23 formance of its functions under this title, and the use of funds
24 available therefor, as may be necessary in order to assure

25 (1) coordination of the program authorized by this title with

1 related Federal planning assistance programs, including the
2 program authorized under section 701 of the Housing Act
3 of 1954 and (2) appropriate utilization of other Federal
4 agencies administering programs which may contribute to
5 achieving the purpose of this Act.

6 ALLOTMENTS

7 SEC. 302. (a) From the sums appropriated pursuant to
8 section 301 for any fiscal year the Council shall from time
9 to time make allotments to the States, in accordance with its
10 regulations on the basis of (1) the population, (2) the land
11 area, (3) the need for comprehensive water and related
12 land resources planning programs, and (4) the financial
13 need of the respective States. For the purposes of this sec-
14 tion the population of the States shall be determined on the
15 basis of the latest estimates available from the Department
16 of Commerce and the land area of the States shall be deter-
17 mined on the basis of the official records of the United States
18 Geological Survey.

19 (b) From each State's allotment under this section for
20 any fiscal year the Council shall pay to such State an amount
21 which is not more than 50 per centum of the cost of carrying
22 out its State program approved under section 303, including
23 the cost of training personnel for carrying out such program
24 and the cost of administering such program.

STATE PROGRAMS

SEC. 303. The Council shall approve any program for comprehensive water and related land resources planning which is submitted by a State, if such program—

(1) provides for comprehensive planning with respect to intrastate or interstate water ~~resources or both~~ *resources, or both*, in such State to meet the needs for water and water related activities taking into account prospective demands for all purposes served through or affected by water and related land resources development, with adequate provision for coordination with all Federal, State, and local agencies having responsibilities in affected fields;

(2) provides, where comprehensive statewide development planning is being carried on with or without assistance under section 701 of the Housing Act of 1954, for full coordination between comprehensive water resources planning and other statewide planning programs and for assurances that such water resources planning will be in conformity with the general development policy in such State;

(3) designates a State agency (hereinafter referred to as the "State agency") to administer the program;

(4) provides that the State agency will make such

1 reports in such form and containing such information
2 as the Council from time to time reasonably requires to
3 carry out its functions under this title;

4 (5) sets forth the procedure to be followed in
5 carrying out the State program and in administering
6 such program; and

7 (6) provides such accounting, budgeting, and
8 other fiscal methods and procedures as are necessary
9 for keeping appropriate accountability of the funds and
10 for the proper and efficient administration of the pro-
11 gram.

12 The Council shall not disapprove any program without first
13 giving reasonable notice and opportunity for hearing to the
14 State agency administering such program.

15 REVIEW

16 SEC. 304. Whenever the Council after reasonable notice
17 and opportunity for hearing to a State agency finds that—

18 (a) the program submitted by such State and ap-
19 proved under section 303 has been so changed that it
20 no longer complies with a requirement of such section;
21 or

22 (b) in the administration of the program there is
23 a failure to comply substantially with such a require-
24 ment, the Council shall notify such agency that no
25 further payments will be made to the State under this

1 title until it is satisfied that there will no longer by any
2 such failure. Until the Council is so satisfied, it shall
3 make no further payments to such State under this title.

4 PAYMENTS

5 SEC. 305. The method of computing and paying amounts
6 pursuant to this title shall be as follows:

7 (1) The Council shall, prior to the beginning of
8 each calendar quarter or other period prescribed by it,
9 estimate the amount to be paid to each State under the
10 provisions of this title for such period, such estimate to
11 be based on such records of the State and information
12 furnished by it, and such other investigation, as the
13 Council may find necessary.

14 (2) The Council shall pay to the State, from the al-
15 lotment available therefor, the amount so estimated by
16 it for any period, reduced or increased, as the case may
17 be, by any sum (not previously adjusted under this
18 paragraph) by which it finds that its estimate of the
19 amount to be paid such State for any prior period under
20 this title was greater or less than the amount which
21 should have been paid to such State for such prior period
22 under this title. Such payments shall be made through
23 the disbursing facilities of the Treasury Department, at
24 such times and in such installments as the Council may
25 determine.

DEFINITION

SEC. 306. For the purpose of this title the term "State" means a State, the District of Columbia, Puerto Rico, or the Virgin Islands.

SEC. 307. (a) Each recipient of a grant under this Act shall keep such records as the Chairman of the Council shall prescribe, including records which fully disclose the amount and disposition of the funds received under the grant, and the total cost of the project or undertaking in connection with which the grant was made and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Chairman of the Council and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant that are pertinent to the determination that funds granted are used in accordance with this Act.

TITLE IV—MISCELLANEOUS

AUTHORIZATION OF APPROPRIATIONS

SEC. 401. There are authorized to be appropriated such ~~sums~~ *sums, not to exceed \$10,000,000 annually*, as may be necessary to carry out the provisions of titles I and II and the administration of title III.

1 RULES AND REGULATIONS

2 SEC. 402. The Council is authorized to make such rules
3 and regulations as it may deem necessary or appropriate for
4 carrying out those provisions of this Act which are admin-
5 istered by it.

6 DELEGATION OF FUNCTIONS

7 SEC. 403. The Council is authorized to delegate to any
8 member or employee of the Council its administrative func-
9 tions under section 105 and the detailed administration of the
10 grant program under title III.

11 UTILIZATION OF PERSONNEL

12 SEC. 404. The Council may, with the consent of the
13 head of any other department or agency of the United States,
14 utilize such officers and employees of such agency on a re-
15 imbursable basis as are necessary to carry out the provisions
16 of this Act.

A BILL

To provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

By Mr. ANDERSON, Mr. BARTLETT, Mr. BIBLE,
Mr. EASTLAND, Mr. HART, Mr. HARTKE, Mr.
JORDAN of Idaho, Mr. KUCHEL, Mr. McGOVERN,
Mr. METCALF, Mr. MOSS, Mr. TOWER,
and Mr. YARBOROUGH

JANUARY 6, 1965

Read twice and referred to the Committee on Interior
and Insular Affairs

FEBRUARY 24, 1965

Reported with amendments

Digest of CONGRESSIONAL PROCEEDINGS

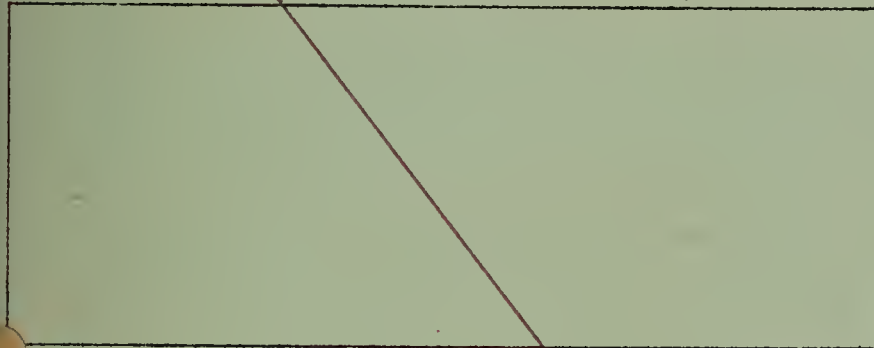
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
Washington, D. C. 20250
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OFFICE OF
BUDGET AND FINANCE

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For actions of February 25, 1965
89th-1st.; No. 37



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HIGHLIGHTS: Senate passed water resources planning bill. Sen. Eastland criticized Kermit Gordon's article on farm program. Sen. McGovern inserted Sen. Mondale's speech defending farm price supports. Sen. Miller urged resumption of dried egg purchase program. Sen. Talmadge stated Common Market policies pose threat to U. S. agricultural export market. Sen. Thurmond inserted S. C. Legislative resolution protesting proposed user charges on SCS technical assistance. House committee voted to report bill to increase limitation on FHA insured loans. House Rules Committee cleared Appalachia bill.

HOUSE

1. APPALACHIA. The Rules Committee reported a resolution for the consideration of S. 3, to provide public works and economic development programs and assist in the development of the Appalachian region (p. 3627). Rep. Cleveland asked careful reading of the House Report on the bill, particularly the minority and additional views, stating that "They point out in detail the essential unfairness of this legislation to the rest of the Nation." pp. 3618-20
2. RESEARCH. Received from the Science and Astronautics Committee a report on geographic distribution of Federal research and development funds (H. Report 106). p. 3626

3. FOREIGN AID. Rep. Findley criticized "billion-dollar generosity" to Nasser and inserted a letter and tables from USDA summarizing Public Law 480 transactions with UAR. pp. 3582-3
4. RESEARCH. Rep. Roush spoke on the geographical distribution of Federal funds for research and development, emphasizing the "need for constant attention to not only how these funds are spent but where they are spent." p. 3585
5. FARM LABOR. Rep. Matsunaga commented that "one sure solution to the agricultural labor shortage in California...may be a living wage for a man and his family and that Hawaii "applied this solution very happily to solve its problem." p. 3625
6. FARM LOANS. The Agriculture Committee voted to report (but did not actually report) H.R. 5075, to amend the Consolidated Farmers Home Administration Act of 1961 in order to increase the limitation on the amount of loans which may be insured under subtitle A of such Act; and H.R. 4152, to amend the Federal Farm Loan Act and the Farm Credit Act of 1933 to provide means for expediting the retirement of Government capital in the Federal intermediate credit banks, including an increase in the debt permitted such banks in relation to their capital and provision for the production credit associations to acquire additional capital stock therein, to provide for allocating certain earnings of such banks and associations to their users. p. D132
7. COMMITTEES. The chairmen of the Interstate and Foreign Commerce Committee and the Post Office and Civil Service Committee announced the appointment of subcommittees. pp. D133-4
8. LEGISLATIVE PROGRAM. Rep. Albert announced that on Mon., Mar. 1, the House will begin consideration of S. 3, the Appalachia bill. p. 3581
9. ADJOURNED until Mon., Mar. 1. p. 3626

SENATE

10. WATER RESOURCES. Passed as reported S. 21, to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning. pp. 3535-40
11. INTER-AMERICAN DEVELOPMENT BANK. By a vote of 67 to 14, passed with amendments H. R. 45, to authorize \$750 million for U. S. participation in the Fund for Special Operations of the Inter American Development Bank (pp. 3519-25, 3526-32). Consideration of a similar bill, S. 805, was indefinitely postponed (p. 3532). Senate conferees were appointed (p. 3532).
12. FARM PROGRAM. Sen. Eastland charged that Budget Bureau Director Gordon in his recent magazine article "assaulted the farmer and farm programs enacted by the Congress in an unjustified manner," and the Senator defended Federal expenditures for the farm program as contrasted with expenditures for other programs. pp. 3503-4

Frozen egg, by types: Stocks and New York wholesale prices per pound in carlots, 1957 to date—Continued

| Item | Year | Unit | January | February | March | April | May | June | July | August | September | October | November | December |
|--|------|----------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| Mixed whole: | | | | | | | | | | | | | | |
| Stocks on 1st of month..... | 1957 | Million pounds | 34 | 28 | 23 | 30 | 46 | 63 | 72 | 73 | 68 | 62 | 51 | 40 |
| | 1958 | do | 29 | 23 | 21 | 17 | 23 | 35 | 46 | 50 | 48 | 44 | 33 | 24 |
| | 1959 | do | 17 | 14 | 14 | 17 | 31 | 49 | 61 | 64 | 67 | 60 | 55 | 41 |
| | 1960 | do | 33 | 30 | 33 | 33 | 37 | 50 | 65 | 71 | 68 | 61 | 49 | 36 |
| | 1961 | do | 24 | 20 | 18 | 20 | 26 | 37 | 47 | 46 | 46 | 42 | 39 | 31 |
| | 1962 | do | 26 | 21 | 18 | 20 | 27 | 37 | 52 | 53 | 56 | 53 | 47 | 36 |
| | 1963 | do | 28 | 21 | 17 | 18 | 29 | 40 | 50 | 54 | 52 | 47 | 40 | 34 |
| | 1964 | do | 26 | 20 | 20 | 21 | 30 | 41 | 52 | 59 | 58 | 54 | 48 | 38 |
| | 1965 | do | 31 | | | | | | | | | | | |
| Average price, 1st full week of month ³ | 1957 | Cent. | 25 $\frac{1}{4}$ | 26 $\frac{1}{2}$ | 26 | 26 | 26 | 25 $\frac{3}{4}$ | 24 $\frac{3}{4}$ | 26 | 28 | 29 | 30 | 32 |
| | 1958 | do | 29 $\frac{3}{4}$ | 29 | 30 $\frac{1}{2}$ | 31 | 31 $\frac{3}{4}$ | 30 $\frac{3}{4}$ | 31 $\frac{3}{4}$ | 29 $\frac{3}{4}$ | 30 | 29 $\frac{1}{4}$ | 30 $\frac{3}{4}$ | 31 $\frac{1}{4}$ |
| | 1959 | do | 31 | 31 $\frac{3}{4}$ | 28 $\frac{1}{4}$ | 24 $\frac{3}{4}$ | 24 $\frac{3}{4}$ | 24 $\frac{1}{4}$ | 25 $\frac{1}{2}$ | 25 | 24 $\frac{1}{4}$ | 23 $\frac{3}{4}$ | 24 $\frac{1}{4}$ | 23 $\frac{1}{2}$ |
| | 1960 | do | 24 $\frac{3}{4}$ | 23 | 25 $\frac{1}{4}$ | 27 $\frac{3}{4}$ | 30 $\frac{1}{2}$ | 29 $\frac{1}{2}$ | 27 $\frac{1}{2}$ | 25 $\frac{1}{2}$ | 27 $\frac{1}{2}$ | 30 $\frac{1}{2}$ | 32 $\frac{1}{2}$ | 34 $\frac{1}{2}$ |
| | 1961 | do | 31 $\frac{1}{4}$ | 32 $\frac{1}{2}$ | 32 | 30 $\frac{1}{2}$ | 31 $\frac{1}{2}$ | 32 $\frac{1}{2}$ | 32 $\frac{1}{2}$ | 32 | 32 $\frac{1}{2}$ | 32 $\frac{1}{2}$ | 31 $\frac{1}{2}$ | 31 |
| | 1962 | do | 28 | 31 | 30 | 28 | 27 $\frac{1}{2}$ | 27 | 26 $\frac{3}{4}$ | 26 $\frac{3}{4}$ | 28 | 29 | 29 | 27 $\frac{3}{4}$ |
| | 1963 | do | 29 | 31 $\frac{1}{4}$ | 32 | 29 $\frac{1}{4}$ | 28 | 28 | 27 $\frac{3}{4}$ | 29 | 29 $\frac{1}{4}$ | 30 | 29 $\frac{1}{2}$ | 29 $\frac{1}{2}$ |
| | 1964 | do | 30 $\frac{1}{4}$ | 30 $\frac{1}{4}$ | 29 $\frac{3}{4}$ | 27 | 27 $\frac{3}{4}$ | 27 $\frac{1}{2}$ | 28 | 28 | 28 $\frac{1}{2}$ | 28 $\frac{1}{4}$ | 28 $\frac{1}{2}$ | 28 |
| | 1965 | do | 27 $\frac{1}{4}$ | | | | | | | | | | | |

¹ Highest color quoted.² Insufficient wholesale sales to report prices.³ "Spring pack" whenever quoted separately prior to April 1961; thereafter, reported as whole dark colored. "Unclassified" frozen egg is not included in this table.

Source: January 1965, Poultry and Egg Situation, Economic Research Service, U.S. Department of Agriculture.

Eggs—Average prices received by farmers
(In cents per dozen)

| | 1962 | 1963 | 1964 | 1965 |
|----------------|------|------|------|------|
| January..... | 35.4 | 36.5 | 37.8 | 30.9 |
| February..... | 36.2 | 37.3 | 37.9 | |
| March..... | 33.0 | 36.4 | 34.1 | |
| April..... | 31.5 | 32.4 | 31.6 | |
| May..... | 28.9 | 29.5 | 29.9 | |
| June..... | 28.2 | 29.5 | 30.5 | |
| July..... | 29.5 | 31.0 | 31.7 | |
| August..... | 32.5 | 32.8 | 34.5 | |
| September..... | 36.2 | 36.0 | 34.8 | |
| October..... | 36.3 | 35.5 | 34.6 | |
| November..... | 36.6 | 36.0 | 34.0 | |
| December..... | 36.4 | 35.1 | 32.9 | |

Source: Statistical Summary, Statistical Reporting Service, USDA.

Government purchases of dried eggs
(In thousands of cases)

| | 1961 | 1962 | 1963 | 1964 |
|----------------|-------|-------|------|-------|
| January..... | | | | |
| February..... | 345 | | | |
| March..... | 642 | 112 | | 28 |
| April..... | 186 | 340 | 155 | 357 |
| May..... | 421 | 273 | 298 | 291 |
| June..... | 382 | 338 | 280 | 338 |
| July..... | 108 | 138 | 45 | 171 |
| August..... | | | | 115 |
| September..... | | | | 52 |
| October..... | | | | 84 |
| November..... | | | | 23 |
| December..... | | | | |
| Total..... | 2,084 | 1,205 | 778 | 1,459 |

Source: USDA publications.

| | Egg prices received | Dried egg purchases (thousand cases) |
|-----------|---------------------|--------------------------------------|
| 1960..... | 36.0 | 1,901 |
| 1961..... | 35.5 | 2,084 |
| 1962..... | 33.6 | 1,205 |
| 1963..... | 34.4 | 778 |
| 1964..... | 33.4 | 1,459 |

Source: USDA publications.

[From the Des Moines (Iowa) Sunday Register, Feb. 21, 1965]

BIGGEST IOWA PRODUCER OF EGGS CLOSES
(By Don Muhm)

MADRID, IOWA.—Eggarama, Inc., the largest egg-producing facility in Iowa, has collapsed financially after less than a year of operation.

Most of the hens in the company's laying houses are being sold, through efforts initiated by Central Soya Co., which was asso-

ciated with the Eggarama, Inc., and from which all feeds were purchased. Central Soya has attached all egg receipts.

Eggarama, Inc., had holding in hens, pullets, and properties approaching \$750,000.

RAISED IN MADRID

Money was raised largely in Madrid. Main Street businessmen and professional men were major stockholders.

Glenn E. Allen, Madrid attorney, who was secretary of the firm and a director, said he believes the stockholders will lose their investments.

Allen said the Eggarama, Inc., operation collapsed because of these factors:

The current depression in egg prices, with farmers receiving the lowest prices in several years.

Lack of enough financial reserves to carry the company through a period of low prices. Lack of a steady market outlet for eggs where prices would be guaranteed.

Allen said Eggarama, Inc., sold eggs for as little as 22 cents a dozen, and as much as 29 cents a dozen. The cost of producing a dozen eggs was figured at 25 to 26 cents, according to Allen.

"All of us associated with Eggarama, Inc., had to be paid out of the sale of these eggs," Allen added. "This included the stockholders, the feed company, the chicken company, and the equipment company. The end came when the feed company people felt insecure about Eggarama's future."

Allen said that officials felt, and still feel, that eggs can be produced as cheaply in Iowa as anywhere in the Nation.

"The idea is still sound," Allen stated.

Eggs are not under a Government support program, while some of the commodities used in poultry and livestock feeds are subject to such Federal props.

LOWEST IN 5 YEARS

Egg prices in January this year in Iowa were at the lowest levels in 5 years. The price for Iowa grade A large eggs was 21.7 cents a dozen. The price Saturday was 23.8 cents per dozen for grade A large bought from farmers.

Efforts are being made now to set up another corporation to use the laying houses.

Only about half of the hens that once occupied the seven large laying houses remain in those buildings now. The buildings are large, some measuring up to 33 feet by 440 feet. Such buildings cost about \$50,000 each.

Eggarama, Inc., was an "Integrated" operation, from the egg to the egg, according to Allen.

The firm had its own parent flock which produced hatching eggs, its own hatchery, its own growing houses in which pullets were reared, and its own laying houses in which hens produced eggs for market.

FIRM'S OFFICERS

Wendell Lehman, 32, of Madrid, is president of Eggarama, Inc. He owns the Madrid Hatchery. His father, Glenn Lehman, is vice president. Other officers and directors include R. J. Sundberg, Madrid bank employee; and I. E. Jensen, hardware store owner.

An advisory committee was set up when Eggarama, Inc., was started.

This committee consisted of representatives of Central Soya Co., which manufactures livestock and poultry feeds; Jamesway Manufacturing Co., which makes farm equipment and facilities; and DeKalb Agricultural Association, which markets hybrid chicks and farm seeds.

Operational manager of the firm is Charles H. Jensen, a poultry management graduate of Iowa State University and former executive secretary of the Iowa Poultry Association.

WATER RESOURCES PLANNING
ACT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 65, S. 21, and that it be made the pending business.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 21) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, though the establishment of a water resources council and river basin commissions.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 2, line 14, after the word "supersede", to strike out "or"; in the same line, after the word "limit", to insert "or modify"; on page 3, line 2, after the word "Canada", to insert "the Permanent Engineering Board and

the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961,"; at the beginning of line 21, to strike out "biennial" and insert "biennial, or at such less frequent intervals as the Council may determine,"; on page 4, line 22, after the numerals "204", to strike out "(a)"; on page 7, line 25, after the word "are", to strike out "located" and insert "located,"; in the same line, after the amendment just above stated, to insert "Provided, That for the purposes of this Act, the Upper Colorado River Basin shall be considered a separate river basin,"; on page 9, after line 2, to insert:

(c) The provisions of this Title II shall not apply in the Columbia River Basin.

On page 14, line 3, after the word "the", to strike out "report" and insert "reports"; on page 16, line 19, after the word "basin", to strike out "commission shall," and insert "commission, with the approval of the vice chairman,"; in line 23, after the word "thereof", to insert "shall"; on page 19, in the headline in line 10, after the word "Grant", to strike out "Authorization" and insert "Authorizations"; on page 21, line 6, after the word "water", to strike out "resources or both" and insert "resources, or both,"; and on page 24, at the beginning of line 23, to strike out "sums" and insert "sums, not to exceed \$10,000,000 annually,"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Short title

SECTION 1. This Act may be cited as the "Water Resources Planning Act".

Statement of policy

SEC. 2. In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis with the cooperation of all affected Federal agencies, States, local governments, and others concerned.

Effect on existing laws

SEC. 3. Nothing in this Act shall be construed—

(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit, or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

(b) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources, or to exercise licensing or regulatory functions in relation thereto; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or of the International Boundary and Water Commission, United States and Mexico.

TITLE I—WATER RESOURCES COUNCIL

SEC. 101. There is hereby established a Water Resources Council (hereinafter referred to as the "Council") which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Chairman of the Council shall request the heads of other agencies to participate with the Council when matters affecting their responsibilities are considered by the Council. The Chairman of the Council shall be designated by the President.

SEC. 102. The Council shall—

(a) maintain a continuing study and prepare a biennial, or at such less frequent intervals as the Council may determine, assessment of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and

(b) maintain a continuing study of the relation of regional or river basin plans and programs to the requirements of larger regions of the Nation, and of the adequacy of administrative and statutory means for the coordination of the water and related land resources policies and programs of the several Federal agencies; it shall appraise the adequacy of existing and proposed policies and programs to meet such requirements; and it shall make recommendations to the President with respect to Federal policies and programs.

SEC. 103. The Council shall establish, with the approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects. Such procedures may include provision for Council revision of plans for Federal projects intended to be proposed in any plan or revision thereof being prepared by a river basin planning commission.

SEC. 104. Upon receipt of a plan or revision thereof from any river basin commission under the provisions of section 204(3) of this Act, the Council shall review the plan or revision with special regard to—

(1) the efficacy of such plan or revision in achieving optimum use of the water and related land resources in the area involved;

(2) the effect of the plan on the achievement of other programs for the development of agricultural, urban, energy, industrial, recreational, fish and wildlife, and other resources of the entire Nation; and

(3) the contributions which such plan or revision will make in obtaining the Nation's economic and social goals.

Based on such review the Council shall—

(a) formulate such recommendations as it deems desirable in the national interest; and

(b) transmit its recommendations, together with the plan or revision of the river basin commission, and the views, comments, and recommendations with respect to such plan or revision submitted by any Federal agency, Governor, interstate commission, or United States section of an international commission, to the President for his review and transmittal to the Congress with his recommendations in regard to authorization of Federal projects.

SEC. 105. (a) For the purpose of carrying out the provisions of this Act, the Council may: (1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other depart-

ments and agencies of the United States; (4) employ and fix the compensation of such personnel as it deems advisable, in accordance with the civil service laws and Classification Act of 1949, as amended; (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates not to exceed \$100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; and (7) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) Any member of the Council is authorized to administer oaths when it is determined by a majority of the Council that testimony shall be taken or evidence received under oath.

(c) To the extent permitted by law, all appropriate records and papers of the Council may be made available for public inspection during ordinary office hours.

(d) Upon request of the Council, the head of any Federal department or agency is authorized (1) to furnish to the Council such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such Council on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The Council shall be responsible for (1) the appointment and supervision of personnel, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds.

TITLE II—RIVER BASIN COMMISSIONS

Creation of commissions

SEC. 201. (a) The President is authorized to declare the establishment of a river basin water and related land resources commission upon request therefor by the Council, or request addressed to the Council by a State within which all or part of the basin or basins concerned are located if the request by the Council or by a State (1) defines the area, river basin, or group of related river basins for which a commission is requested, (2) is made in writing by the Governor or in such manner as State law may provide, or by the Council, and (3) is concurred in by the Council and by not less than one-half of the States within which portions of the basin or basins concerned are located: *Provided*, That, for the purposes of this Act, the Upper Colorado River Basin shall be considered a separate river basin. Such concurrences shall be in writing.

(b) Each such commission for an area, river basin, or group of river basins shall, to the extent consistent with section 3 of this Act—

(1) serve as the principal agency for the coordination of Federal, State, interstate, and local plans for the development of water and related land resources in its area, river basin, or group of river basins;

(2) prepare and keep up to date, to the extent practicable, a comprehensive, coordinated, joint plan for Federal, State, interstate, and local development of water and related resources: *Provided*, That the plan shall include an evaluation of all reasonable alternative means of achieving optimum development of water and related land resources of the basin or basins, and it may be prepared in stages, including recommendations with respect to individual projects;

(3) recommend long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and

(4) foster and undertake such studies of water and related land resources problems in its area, river basin, or group of river basins

as are necessary in the preparation of the plan described in clause (2) of this subsection.

(c) The provisions of this title II shall not apply in the Columbia River Basin.

Membership of commissions

SEC. 202. Each river basin commission shall be composed of members appointed as follows:

(a) A chairman appointed by the President who shall also serve as chairman and coordinating officer of the Federal members of the commission and who shall represent the Federal Government in Federal-State relations on the commission and who shall not, during the period of his service on the commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the Federal Government;

(b) One member from each Federal department or independent agency determined by the President to have a substantial interest in the work to be undertaken by the commission, such member to be appointed by the head of such department or independent agency and to serve as the representative of such department or independent agency;

(c) One member from each State which lies wholly or partially within the area, river basin, or group of river basins for which the commission is established, and the appointment of each such member shall be made in accordance with the laws of the State which he represents. In the absence of governing provisions of State law, such State members shall be appointed and serve at the pleasure of the Governor;

(d) One member appointed by any interstate agency created by an interstate compact to which the consent of Congress has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is created;

(e) When deemed appropriate by the President, one member, who shall be appointed by the President, from the United States section of any international commission created by a treaty to which the consent of the Senate has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is established.

Organization of commissions

SEC. 203. (a) Each river basin commission shall organize for the performance of its functions within ninety days after the President shall have declared the establishment of such commission, subject to the availability of funds for carrying on its work. A commission shall terminate upon agreement of the Council or agreement of a majority of the States composing the commission. Upon such termination, all property, assets, and records of the commission shall thereafter be turned over to such agencies of the United States and the participating States as shall be appropriate in the circumstances: *Provided*, That studies, data, and other materials useful in water and related land resource planning to any of the participants shall be kept freely available to all such participants.

(b) State members of each commission shall elect a vice chairman, who shall serve also as chairman and coordinating officer of the State members of the commission and who shall represent the State governments in Federal-State relations on the commission.

(c) Vacancies in a commission shall not affect its powers but shall be filled in the same manner in which the original appointments were made: *Provided*, That the chairman and vice chairman may designate alternates to act for them during temporary absences.

(d) In the work of the commission every reasonable endeavor shall be made to arrive

at a consensus of all members on all issues; but failing this, full opportunity shall be afforded each member for the presentation and report of individual views: *Provided*, That at any time the commission fails to act by reason of absence of consensus, the position of the chairman, acting in behalf of the Federal members, and the vice chairman, acting upon instructions of the State members, shall be set forth in the record: *Provided further*, That the chairman, in consultation with the vice chairman, shall have the final authority, in the absence of an applicable bylaw adopted by the commission or in the absence of a consensus, to fix the times and places for meetings, to set deadlines for the submission of annual and other reports, to establish subcommittees, and to decide such other procedural questions as may be necessary for the commission to perform its functions.

Duties of the commissions

SEC. 204. Each river basin commission shall—

(1) engage in such activities and make such studies and investigations as are necessary and desirable in carrying out the policy set forth in section 2 of this Act and in accomplishing the purposes set forth in section 201(b) of this Act;

(2) submit to the Council and the Governor of each participating State a report on its work at least once each year. Such report shall be transmitted through the President to the Congress. After such transmission, copies of any such report shall be sent to the heads of such Federal, State, interstate, and international agencies as the President or the Governors of the participating States may direct;

(3) submit to the Council for transmission to the President and by him to the Congress, and the Governors and the legislatures of the participating States a comprehensive, coordinated, joint plan, or any major portion thereof or necessary revisions thereof, for water and related land resources development in the area, river basin, or group of river basins for which such commission was established. Before the commission submits such a plan or major portion thereof or revision thereof to the Council, it shall transmit the proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and each interstate agency, from which a member of the commission has been appointed, and to the head of the United States section of any international commission if the plan, portion or revision deals with a boundary water or a river crossing a boundary, or any tributary flowing into such boundary water or river, over which the international commission has jurisdiction or for which it has responsibility. Each such department and agency head, Governor, interstate agency, and United States section of an international commission shall have ninety days from the date of the receipt of the proposed plan, portion or revision to report its views, comments, and recommendations to the commission. The commission may modify the plan, portion or revision after considering the reports so submitted. The views, comments, and recommendations submitted by each Federal department or agency head, Governor, interstate agency, and United States section of an international commission shall be transmitted to the Council with the plan, portion or revision; and

(4) submit to the Council at the time of submitting such plan, any recommendations it may have for continuing the functions of the commission and for implementing the plan, including means of keeping the plan up to date.

Powers and administrative provisions of the commissions

SEC. 205. (a) For the purpose of carrying out the provisions of this title, each river basin commission may—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable;

(2) acquire, furnish, and equip such office space as is necessary;

(3) use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States;

(4) employ and compensate such personnel as it deems advisable, including consultants, at rates not to exceed \$100 per diem;

(5) arrange for the services of personnel from any State or the United States, or any subdivision or agency thereof, or any intergovernmental agency;

(6) make arrangements, including contracts, with any participating government, except the United States or the District of Columbia, for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for or continuing in another governmental retirement or employees benefit system, or otherwise provide for such coverage of its personnel;

(7) purchase, hire, operate, and maintain passenger motor vehicles; and

(8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) The chairman of a river basin commission, or any member of such commission designated by the chairman thereof for the purpose, is authorized to administer oaths when it is determined by a majority of the commission that testimony shall be taken or evidence received under oath.

(c) To the extent permitted by law, all appropriate records and papers of each river basin commission shall be made available for public inspection during ordinary office hours.

(d) Upon request of the chairman of any river basin commission, or any member or employee of such commission designated by the chairman thereof for the purpose, the head of any Federal department or agency is authorized (1) to furnish to such commission such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The chairman of each river basin commission, with the approval of the vice chairman, in accordance with the general policies of such commission with respect to the work to be accomplished by it and the timing thereof, shall be responsible for (1) the appointment and supervision of personnel employed by such commission, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds available to such commission.

Compensation of commission members

SEC. 206. (a) Any member of a river basin commission appointed pursuant to section 202 (b) and (c) of this Act shall receive no additional compensation by virtue of his membership on the commission, but shall continue to receive, from appropriations made for the agency from which he is appointed, the salary of his regular position when engaged in the performance of the duties vested in the commission.

(b) Members of a commission, appointed pursuant to section 202 (c) and (d) of this Act, shall each receive such compensation

as may be provided by the States or the interstate agency respectively, which they represent.

(c) The per annum compensation of the chairman of each river basin commission shall be determined by the President, but when employed on a full-time annual basis shall not exceed the maximum scheduled rate for grade GS-18 of the Classification Act of 1949, as amended; or when engaged in the performance of the commission's duties on an intermittent basis such compensation shall be not more than \$100 per day and shall not exceed \$12,000 in any year.

SEC. 207. (a) Each commission shall recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission's expenses shall be otherwise apportioned as the commission may determine. Each commission shall prepare a budget annually and transmit it to the Council and the States. Estimates of proposed appropriations from the Federal Government shall be included in the budget estimates submitted by the Council under the Budgeting and Accounting Act of 1921, as amended, and may include an amount for advance to a commission against State appropriations for which delay is anticipated by reason of later legislative sessions. All sums appropriated to or otherwise received by a commission shall be credited to the commission's account in the Treasury of the United States.

(b) A commission may accept for any of its purposes and functions appropriations, donations, and grants of money, equipment, supplies, materials, and services from any State or the United States or any subdivision or agency thereof, or intergovernmental agency, and may receive, utilize, and dispose of the same.

(c) The commission shall keep accurate accounts of all receipts and disbursements. The accounts shall be audited at least annually in accordance with generally accepted auditing standards by independent certified or licensed public accountants, certified or licensed by a regulatory authority of a State, and the report of the audit shall be included in and become a part of the annual report of the commission.

(d) The accounts of the commission shall be open at all reasonable times for inspection by representatives of the jurisdictions and agencies which make appropriations, donations, or grants to the commission.

TITLE III—FINANCIAL ASSISTANCE TO THE STATES FOR COMPREHENSIVE PLANNING GRANT AUTHORIZATIONS

SEC. 301. (a) In recognition of the need for increased participation by the States in water and related land resources planning to be effective, there are hereby authorized to be appropriated to the Council for the next fiscal year beginning after the date of enactment of this Act, and for the nine succeeding fiscal years thereafter, \$5,000,000 in each such year for grants to States to assist them in developing and participating in the development of comprehensive water and related land resources plans.

(b) The Council, with the approval of the President, shall prescribe such rules, establish such procedures, and make such arrangements and provisions relating to the performance of its functions under this title, and the use of funds available therefor, as may be necessary in order to assure (1) coordination of the program authorized by this title with related Federal planning assistance programs, including the program authorized under section 701 of the Housing Act of 1954 and (2) appropriate utilization of other Federal agencies administering programs which may contribute to achieving the purpose of this Act.

Allotments

SEC. 302. (a) From the sums appropriated pursuant to section 301 for any fiscal year

the Council shall from time to time make allotments to the States, in accordance with its regulations on the basis of (1) the population, (2) the land area, (3) the need for comprehensive water and related land resources planning programs, and (4) the financial need of the respective States. For the purposes of this section the population of the States shall be determined on the basis of the latest estimates available from the Department of Commerce and the land area of the States shall be determined on the basis of the official records of the United States Geological Survey.

(b) From each State's allotment under this section for any fiscal year the Council shall pay to such State an amount which is not more than 50 per centum of the cost of carrying out its State program approved under section 303, including the cost of training personnel for carrying out such program and the cost of administering such program.

State programs

SEC. 303. The Council shall approve any program for comprehensive water and related land resources planning which is submitted by a State, if such program—

(1) provides for comprehensive planning with respect to intrastate or interstate water resources, or both, in such State to meet the needs for water and water related activities taking into account prospective demands for all purposes served through or affected by water and related land resources development, with adequate provision for coordination with all Federal, State, and local agencies having responsibilities in affected fields;

(2) provides, where comprehensive statewide development planning is being carried on with or without assistance under section 701 of the Housing Act of 1954, for full coordination between comprehensive water resources planning and other statewide planning programs and for assurances that such water resources planning will be in conformity with the general development policy in such State;

(3) designates a State agency (hereinafter referred to as the "State agency") to administer the program;

(4) provides that the State agency will make such reports in such form and containing such information as the Council from time to time reasonably requires to carry out its functions under this title;

(5) sets forth the procedure to be followed in carrying out the State program and in administering such program; and

(6) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for keeping appropriate accountability of the funds and for the proper and efficient administration of the program.

The Council shall not disapprove any program without first giving reasonable notice and opportunity for hearing to the State agency administering such program.

Review

SEC. 304. Whenever the Council after reasonable notice and opportunity for hearing to a State agency finds that—

(a) the program submitted by such State and approved under section 303 has been so changed that it no longer complies with a requirement of such section; or

(b) in the administration of the program there is a failure to comply substantially with such a requirement, the Council shall notify such agency that no further payments will be made to the State under this title until it is satisfied that there will no longer be any such failure. Until the Council is so satisfied, it shall make no further payments to such State under this title.

Payments

SEC. 305. The method of computing and paying amounts pursuant to this title shall be as follows:

(1) The Council shall, prior to the begin-

ning of each calendar quarter or other period prescribed by it, estimate the amount to be paid to each State under the provisions of this title for such period, such estimate to be based on such records of the State and information furnished by it, and such other investigation, as the Council may find necessary.

(2) The Council shall pay to the State, from the allotment available therefor, the amount so estimated by it for any period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which it finds that its estimate of the amount to be paid such State for any prior period under this title was greater or less than the amount which should have been paid to such State for such prior period under this title. Such payments shall be made through the disbursing facilities of the Treasury Department, at such times and in such installments as the Council may determine.

Definition

SEC. 306. For the purpose of this title the term "State" means a State, the District of Columbia, Puerto Rico, or the Virgin Islands.

SEC. 307. (a) Each recipient of a grant under this Act shall keep such records as the Chairman of the Council shall prescribe, including records which fully disclose the amount and disposition of the funds received under the grant, and the total cost of the project or undertaking in connection with which the grant was made and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Chairman of the Council and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant that are pertinent to the determination that funds granted are used in accordance with this Act.

TITLE IV—MISCELLANEOUS

Authorization of appropriations

SEC. 401. There are authorized to be appropriated such sums, not to exceed \$10,000,000 annually, as may be necessary to carry out the provisions of titles I and II and the administration of title III.

Rules and regulations

SEC. 402. The Council is authorized to make such rules and regulations as it may deem necessary or appropriate for carrying out those provisions of this Act which are administered by it.

Delegation of functions

SEC. 403. The Council is authorized to delegate to any member or employee of the Council its administrative functions under section 105 and the detailed administration of the grant program under title III.

Utilization of personnel

SEC. 404. The Council may, with the consent of the head of any other department or agency of the United States, utilize such officers and employees of such agency on a reimbursable basis as are necessary to carry out the provisions of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc and that an explanation of the bill and of the amendments be inserted in the RECORD at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

PURPOSE OF BILL

The purpose of S. 21, which has the bipartisan cosponsorship of Senators ANDER-

SON, BARTLETT, BIBLE, EASTLAND, HART, HARTKE, JORDAN of Idaho, METCALF, McGOVERN, MOSS, TOWER, and YARBOROUGH, is to encourage the wise management, orderly development, and highest possible uses of our water and related land resources through coordinated and cooperative efforts by Federal agencies and the State and local governments. It would attain these objectives by—

(1) establishing a Water Resources Council composed of the Secretaries of Interior, Agriculture, Army, and Health, Education, and Welfare, and the Chairman of the Federal Power Commission (such a group has been functioning, in fact, on an ad hoc basis);

(2) authorizing the creation by the President of river basin commissions for coordinated studies and planning within a State, basin, or group of basins; and

(3) providing Federal grants to the States to assist them in developing comprehensive water and related land resources plans.

Thus, S. 21 is another forward step in Federal-State cooperative planning and execution of basic programs essential to both the States and the Nation. The bill carefully spells out that none of its provisions shall "expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development or control; * * *" (sec. 3(a)).

By its terms, S. 21 would not repeal, amend, nor modify existing law, nor impinge upon the jurisdiction or authority of presently constituted agencies and specified international commissions.

PREVIOUS LEGISLATIVE ACTION

The present bill is substantially identical to S. 1111, 88th Congress, as that measure was amended and reported favorably by the House Committee on Interior and Insular Affairs after it had passed the Senate on December 4, 1963. It failed to obtain a rule prior to adjournment of the 88th Congress. S. 1111 was the subject of comprehensive hearings in September of 1963 and received widespread support from State and local government agencies and private groups. These hearings are incorporated by reference into the public hearings the Subcommittee on Irrigation and Reclamation held February 5, 1965, on S. 21 at which Mr. Elmer B. Staats, Deputy Director, Bureau of the Budget, expressed the strong support of the administrative agencies for the measure.

BACKGROUND

S. 21 and its predecessor bills are a direct outgrowth of findings and recommendations of the Senate Select Committee on National Water Resources, of which the late Senator Robert S. Kerr, of Oklahoma, was chairman. In its notable report, published January 30, 1961, the committee found that six types of water problems confront various areas of the Nation: Supply, distribution, natural quality, pollution, variability, and floods.

It found that five major regions in the Nation will have inadequate water supply in 1980 to meet anticipated increases in population and economic activity even with full development:

1. South Pacific.
2. Colorado River Basin.
3. Great Basin (Utah-Nevada-California).
4. Upper Rio Grande-Pecos.
5. Upper Missouri River Basin.

By the year 2000, the select committee foresaw supply shortages also in the Upper Arkansas-Red River Basins, the western Great Lakes States, and the Louisiana-Texas western gulf area.

Other major areas of the Nation, the committee found, would have adequate usable water only if they invest billions in pollution control, recycling, storage reservoirs to level out variable seasonal flows, and establish more efficient management practices.

The whole great industrial area of the United States from Boston south to Norfolk, Va., and then sweeping west in a great band to Kansas City and Sioux Falls, S. Dak., was found to be in the latter category.

The Senate select committee made five major recommendations. Shortened, they were:

1. The Federal Government, in cooperation with the States, should prepare and keep up-to-date plans for comprehensive water development and management for all major river basins in the United States.

2. The Federal Government should stimulate more active participation by States in planning and undertaking water development and management activities by setting up a 10-year program of grants to the States for water resources planning. A minimum of \$5 million should be made available annually for matching by States.

3. The Federal Government should undertake a coordinated scientific research program on water.

4. The Federal Government should prepare biennially an assessment of the water supply-demand outlook for each of the water resource regions of the United States.

5. The Federal Government in cooperation with the States should take * * * steps to encourage efficiency in water development and use.

The third recommendation has been enacted into law with the passage of S. 2, 88th Congress, which became Public Law 88-379, the Water Resources Research Act.

S. 21 is intended to implement the remaining recommendations.

President John F. Kennedy, on July 13, 1961, transmitted to Congress the original river basin planning bill, which became S. 2246 of the 87th Congress. Its objectives, to provide for development of comprehensive river basin plans, biennial assessments of regional water needs and supplies, aid to the States, and encouragement of more efficient water development, management, and use, were the same as the objectives in the pending bill, as was much of the language.

Title I of President Kennedy's bill provided for a Federal Water Resources Council, giving it responsibility for the biennial water surveys, stimulation of river basin planning, and administration of aid to the States.

Title II of President Kennedy's bill provided for the establishment of river basin planning commissions, including representatives of the States, whose members would all, however, be appointed by the President. The title was nearly identical to a river basin planning commission act submitted to Congress, January 16, 1961, by the preceding national administration.

Title III of President Kennedy's bill provided for \$5 million aid to States each year for 10 years for water resources planning, as proposed in bills then pending in Congress by Senator Robert Kerr, chairman of the select committee, and Senator CLINTON B. ANDERSON, a committee member.

Hearings on S. 2246 were held jointly in 1961 by the Senate Interior and Insular Affairs Committee and the Senate Committee on Public Works.

Representatives of the Interstate Conference on Water Problems and many others opposed portions of the bill, urging that it include a recognition of "primary" interest on the part of the States in water resources, and that the States appoint and compensate their own representatives on any basin commissions which might be created, giving the States full and direct representation and participation as autonomous units of government.

A second hearing was conducted by the Committee on Interior and Insular Affairs in 1962 to receive the detailed views of States presented by the Interstate Conference on Water Problems and other witnesses.

Throughout the fall and winter of 1962-63, representatives of the Interior Committee, the interstate conference, and other interested organizations conferred repeatedly on satisfactory draft of legislation.

The Nation had for 55 years unsuccessfully sought a formula for comprehensive river basin planning. In February 3, 1908, President Theodore Roosevelt's Inland Waterways Commission recommended "prompt and vigorous action" by the States and the Federal Government to develop comprehensive plans for all the Nation's river basins.

In the intervening years many approaches have been attempted. No general planning mechanism has been adopted. A few basin plans have been developed by independently authorized commissions or administrative agencies. A few are reasonably comprehensive. Others are not at all comprehensive, and are for limited purposes only.

In a few river basins, planning agencies have been established which have Federal and State support and cooperation, including the Tennessee Valley Authority, the Columbia Basin Interagency Committee, and the Delaware River Basin Compact Commission. The Interior Department, in its report of September 11, 1963, on S. 1111, 88th Congress, correctly assumed that the bill did not intend to supplant or supersede such established planning bodies, and the committee affirms this legislative intent with respect to S. 21.

Through the years since 1908, however, the State and Federal Governments' differences have prevented widespread, comprehensive, multiple-purpose planning of water and related land resources in most river basins. Prior to the general agreement on S. 1111 of the last Congress, a general pattern for planning has been impossible to achieve.

FEDERAL-STATES RIGHTS NOT INVOLVED

In approaching the problem of developing a pattern for planning which might prove widely acceptable to State and Federal interests and expedite planning, conferees on President Kennedy's proposal first agreed that the final measure should avoid any attempt to adjudicate or affect State and Federal authorities over water and related land resources, or to displace any established agencies or in any way alter existing interstate and State-Federal arrangements or compacts, such as the Colorado River compact with its Upper and Lower Colorado Basin divisions. Section 3 of S. 21 is a statement and proposed enactment of these basic purposes, as follows:

"Sec. 3. Nothing in this Act shall be construed—

"(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit, or modify the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects; nor to limit the use of other mechanisms, if preferred by the participating governmental units, in the water resources field;

"(b) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources, or to exercise licensing or regulatory functions in relation thereto; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board, and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or of the International Boundary

and Water Commission, United States and Mexico."

The committee believes that when water problems are approached from a planning basis, by planners for optimum development, State and Federal rights issues will seldom, if ever, create deadlocks. Benefits which may result from various engineering plans are calculable and measurable, and provide a tangible, factual basis for agreement on project plans.

The resolution of the States rights issue in the field of water resource development, if it is in fact an issue, should be the subject of separate legislation.

The committee is convinced that the planning and water rights issues have been successfully separated and that S. 21 will not directly nor indirectly affect the rights and jurisdiction of either the States or Federal Government over development of water resources.

THE COMMITTEE AMENDMENTS

In addition to certain technical corrections in language and style, the committee adopted the following substantive amendments:

(1) Page 2, line 12, the word "modify" was added to give further certainty to the disclaimer of any intent that the bill will in any way affect existing Federal-State relationships with respect to responsibility, jurisdiction, and rights over water and water resource development.

(2) Page 3, line 1, after the word "Canada" add: "the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Treaty." Clearly, the functions of these agencies, along with those of the Joint Commission and the Mexican Boundary and Water Commission, all of which were established by treaty for international waters, should not be within the purview of unilateral planning by a domestic organization within the United States.

(3) Page 3, line 16, after the word "biennial" add "or at such less frequent intervals as the Council may determine." This amendment was recommended by the Bureau of the Budget which urged that there be some flexibility in the frequency of such assessments. The Council itself would be in the best position to judge individual cases.

(4) Page 7, line 21, change the period after the word "located" to a colon and add: "Provided, That for the purposes of this Act, the Upper Colorado River Basin shall be considered a separate river basin." This amendment recognizes that the Upper and Lower Colorado River Basins are in law and in fact two separate basins with separate problems and separate planning needs.

(5) Page 8, after line 20, add a new subsection, subsection (c), as follows:

"(c) The provisions of this title II shall not apply to the Columbia River Basin."

The reason for exempting the Columbia Basin from the river basin commission provisions of S. 21 is that in the Columbia, cooperative State and Federal arrangements for basinwide planning of resource development have been established for many years. A Columbia Basin Interagency Committee is in existence. It already is carrying out the functions that a commission established pursuant to title II would perform, and the committee deemed it wise to avoid needless duplication. The States of the Columbia Basin would, of course, participate in the States assistance program provided by title III.

(6) Page 16, line 10, after the word "commission" add the words "with the approval of the vice chairman." This amendment was adopted to make certain that the States would have a voice in selection of staff and expert consultants, assignment of duties, and in the use and expenditure of funds available to a commission.

(7) Page 24, line 16, after the word "sums" add "not to exceed \$10 million annually." This is simply a limitation on the amounts that may be appropriated yearly for the activities of the Water Resources Council established by title I, the creation and functioning of the river basin commissions authorized by title II, and the expenses of administering the planning assistance to the States envisioned by title III. Appropriation authorization for grants to the States is provided for separately in title III.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The amendments were ordered to be engrossed, and the bill read a third time.

Mr. ANDERSON. Mr. President, this bill, S. 21, is similar to S. 1111 of the 88th Congress which passed the Senate unanimously in December of 1963 and was sent to the House. It was reported favorably by the House Committee on Interior and Insular Affairs but could not be reported by the House Committee on Rules in time for passage at the last session.

S. 21, the bill before the Senate today, was again reported unanimously by the Committee on Interior and Insular Affairs, after public hearings, and it is the committee's hope that it may be passed unanimously this year.

Mr. AIKEN. Mr. President, in reading the report on the bill, I find on page 5 the following:

The resolution of the States rights issue in the field of water resource development, if it is in fact an issue, should be the subject of separate legislation.

Will the Senator from New Mexico tell us the purpose of this sentence or what "States rights" might become involved to necessitate further legislation?

Mr. ANDERSON. In the past, there has been a great deal of discussion as to whether this bill for cooperative planning, by the States and the Federal Government would in any way affect the rights of any State that might participate. For example, there was a time when power companies in the New England States were very actively interested in river basins as a source of hydroelectric power.

Mr. AIKEN. They still are.

Mr. ANDERSON. Neither private groups, nor the Federal Government, nor the States have any new or additional rights or privileges conferred upon them by this bill. Responsibilities and rights over water remain as they now are.

Mr. AIKEN. Some of those people have more influence in some States than they do in Vermont.

I notice that a commission can be created if a single State in a group of States requests that that be done and if half the States in the group support the request. That means that if there were five States and three of them supported the request of a single State to establish a commission, that could be done whether the other two agreed. The other two would automatically come into the agreement.

Mr. ANDERSON. They would come in, but there would be plenty of oppor-

tunity for objection on the part of any State that felt its own interests were being jeopardized. The authority of one State to object is clear. This is an effort to cooperate with the States. The Federal Government could not say, in effect, "This is the way you will develop your water." This measure would preserve the right of the Senator's State—of Vermont—of my State of New Mexico, of California, or any other State to decide what it wanted to do. S. 21 would not take away States rights.

Mr. AIKEN. I shall vote for the bill, as I voted for it at the last Congress. At that time I said that with a majority of Federal representatives on the Council, I felt much safer than I would have under the proposal of certain interests in New England, which I believe had designs on property that I did not think belonged to them, and who would have obtained jurisdiction that I did not think belonged to them.

Mr. ANDERSON. I assure the Senator from Vermont that his State will be safe.

Mr. AIKEN. I know that the Senator from New Mexico speaks with complete sincerity and that what he is saying will be given full weight in any future interpretations.

Mr. ANDERSON. I hope that will be understood as the legislative intent and will meet with complete approval.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 21) was passed.

Mr. MANSFIELD. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. KUCHEL. Mr. President, I have the honor to make a motion that that motion be laid on the table.

The motion to lay on the table was agreed to.

SUPPLEMENTAL AGRICULTURAL LABOR

Mr. KUCHEL. Mr. President, I rise to give a warning to the national administration.

The American farmer in many areas of the country does not know whether he will be able to obtain sufficient farm labor to assist him at harvesttime. The contribution of the American farmer to the economy of this country is very great.

My colleague the junior Senator from California [Mr. MURPHY] and I come from a State which last year produced almost \$3.5 billion in cash farm receipts from farm marketings. California is the first in the Nation in the value of its farm commodities. Indeed, 15 of the 20 leading agricultural counties in the Nation are located in California. American agricultural output now exceeds \$36 billion annually in value. Thus, sufficient and qualified farmworkers are of urgent necessity in many parts of our land.

I believe, as an American, that the American farmer should first employ his fellow American citizens to the maximum extent possible. But suppose that he does not find sufficient qualified help among his fellow citizens in this Nation

S. 21

MARCH 1, 1965

AN ACT

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

SECTION 1. This Act may be cited as the “Water Resources Planning Act”.

STATEMENT OF POLICY

2 SEC. 2. In order to meet the rapidly expanding demands
3 for water throughout the Nation, it is hereby declared to be
4 the policy of the Congress to encourage the conservation, de-
5 velopment, and utilization of water and related land resources
6 of the United States on a comprehensive and coordinated
7 basis with the cooperation of all affected Federal agencies,
8 States, local governments, and others concerned.

EFFECT ON EXISTING LAWS

10 SEC. 3. Nothing in this Act shall be construed—

(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

(b) as superseding, modifying, or repealing exist-
ing laws applicable to the various Federal agencies
which are authorized to develop or participate in the
development of water and related land resources, or to
exercise licensing or regulatory functions in relation
thereto; nor to affect the jurisdiction, powers, or pre-

1 rogatives of the International Joint Commission, United
2 States and Canada, the Permanent Engineering Board
3 and the United States Operating Entity or Entities estab-
4 lished pursuant to the Columbia River Basin Treaty,
5 signed at Washington, January 17, 1961, or of the
6 International Boundary and Water Commission, United
7 States and Mexico.

8 TITLE I—WATER RESOURCES COUNCIL

9 SEC. 101. There is hereby established a Water Re-
10 sources Council (hereinafter referred to as the “Council”)
11 which shall be composed of the Secretary of the Interior,
12 the Secretary of Agriculture, the Secretary of the Army,
13 the Secretary of Health, Education, and Welfare, and the
14 Chairman of the Federal Power Commission. The Chair-
15 man of the Council shall request the heads of other agencies
16 to participate with the Council when matters affecting their
17 responsibilities are considered by the Council. The Chair-
18 man of the Council shall be designated by the President.

19 SEC. 102. The Council shall—

20 (a) maintain a continuing study and prepare a
21 biennial, or at such less frequent intervals as the
22 Council may determine, assessment of the adequacy of
23 supplies of water necessary to meet the water require-
24 ments in each water resource region in the United States
25 and the national interest therein; and

1 (b) maintain a continuing study of the relation
2 of regional or river basin plans and programs to the
3 requirements of larger regions of the Nation, and of
4 the adequacy of administrative and statutory means for
5 the coordination of the water and related land resources
6 policies and programs of the several Federal agencies;
7 it shall appraise the adequacy of existing and pro-
8 posed policies and programs to meet such requirements;
9 and it shall make recommendations to the President with
10 respect to Federal policies and programs.

11 SEC. 103. The Council shall establish, with the approval
12 of the President, principles, standards, and procedures for
13 Federal participants in the preparation of comprehensive
14 regional or river basin plans and for the formulation and
15 evaluation of Federal water and related land resources proj-
16 ects. Such procedures may include provision for Council
17 revision of plans for Federal projects intended to be pro-
18 posed in any plan or revision thereof being prepared by
19 a river basin planning commission.

20 SEC. 104. Upon receipt of a plan or revision thereof
21 from any river basin commission under the provisions of sec-
22 tion 204 (3) of this Act, the Council shall review the plan
23 or revision with special regard to—

24 (1) the efficacy of such plan or revision in achiev-

1 ing optimum use of the water and related land resources
2 in the area involved;

3 (2) the effect of the plan on the achievement of
4 other programs for the development of agricultural,
5 urban, energy, industrial, recreational, fish and wildlife,
6 and other resources of the entire Nation; and

7 (3) the contributions which such plan or revision
8 will make in obtaining the Nation's economic and social
9 goals.

10 Based on such review the Council shall—

11 (a) formulate such recommendations as it deems
12 desirable in the national interest; and

13 (b) transmit its recommendations, together with
14 the plan or revision of the river basin commission, and
15 the views, comments, and recommendations with respect
16 to such plan or revision submitted by any Federal
17 agency, Governor, interstate commission, or United
18 States section of an international commission, to the
19 President for his review and transmittal to the Congress
20 with his recommendations in regard to authorization of
21 Federal projects.

22 SEC. 105. (a) For the purpose of carrying out the pro-
23 visions of this Act, the Council may: (1) hold such hear-
24 ings, sit and act at such times and places, take such testimony,

1 receive such evidence, and print or otherwise reproduce and
2 distribute so much of its proceedings and reports thereon as
3 it may deem advisable; (2) acquire, furnish, and equip such
4 office space as is necessary; (3) use the United States mails
5 in the same manner and upon the same conditions as other
6 departments and agencies of the United States; (4) employ
7 and fix the compensation of such personnel as it deems ad-
8 visable, in accordance with the civil service laws and Classi-
9 fication Act of 1949, as amended; (5) procure services as
10 authorized by section 15 of the Act of August 2, 1946 (5
11 U.S.C. 55a), at rates not to exceed \$100 per diem for indi-
12 viduals; (6) purchase, hire, operate, and maintain passenger
13 motor vehicles; and (7) incur such necessary expenses and
14 exercise such other powers as are consistent with and rea-
15 sonably required to perform its functions under this Act.

16 (b) Any member of the Council is authorized to ad-
17 minister oaths when it is determined by a majority of the
18 Council that testimony shall be taken or evidence received
19 under oath.

20 (c) To the extent permitted by law, all appropriate
21 records and papers of the Council may be made available
22 for public inspection during ordinary office hours.

23 (d) Upon request of the Council, the head of any Fed-
24 eral department or agency is authorized (1) to furnish to
25 the Council such information as may be necessary for carry-

1 ing out its functions and as may be available to or procurable
2 by such department or agency, and (2) to detail to tem-
3 porary duty with such Council on a reimbursable basis such
4 personnel within his administrative jurisdiction as it may
5 need or believe to be useful for carrying out its functions,
6 each such detail to be without loss of seniority, pay, or other
7 employee status.

8 (e) The Council shall be responsible for (1) the ap-
9 pointment and supervision of personnel, (2) the assignment
10 of duties and responsibilities among such personnel, and (3)
11 the use and expenditures of funds.

12 TITLE II—RIVER BASIN COMMISSIONS

13 CREATION OF COMMISSIONS

14 SEC. 201. (a) The President is authorized to declare
15 the establishment of a river basin water and related land re-
16 sources commission upon request therefor by the Council, or
17 request addressed to the Council by a State within which all
18 or part of the basin or basins concerned are located if the
19 request by the Council or by a State (1) defines the area,
20 river basin, or group of related river basins for which a com-
21 mission is requested, (2) is made in writing by the Governor
22 or in such manner as State law may provide, or by the Coun-
23 cil, and (3) is concurred in by the Council and by not less
24 than one-half of the States within which portions of the basin
25 or basins concerned are located: *Provided*, That for the

1 purposes of this Act, the Upper Colorado River Basin
2 shall be considered a separate river basin. Such concurrences
3 shall be in writing.

4 (b) Each such commission for an area, river basin, or
5 group of river basins shall, to the extent consistent with
6 section 3 of this Act—

7 (1) serve as the principal agency for the coordina-
8 tion of Federal, State, interstate, and local plans for the
9 development of water and related land resources in its
10 area, river basin, or group of river basins;

11 (2) prepare and keep up to date, to the extent
12 practicable, a comprehensive, coordinated, joint plan for
13 Federal, State, interstate, and local development of
14 water and related resources: *Provided*, That the plan
15 shall include an evaluation of all reasonable alternative
16 means of achieving optimum development of water and
17 related land resources of the basin or basins, and it
18 may be prepared in stages, including recommendations
19 with respect to individual projects;

20 (3) recommend long-range schedules of priorities
21 for the collection and analysis of basic data and for in-
22 vestigation, planning, and construction of projects; and

23 (4) foster and undertake such studies of water and
24 related land resources problems in its area, river basin,

or group of river basins as are necessary in the preparation of the plan described in clause (2) of this subsection.

(c) The provisions of this title II shall not apply in the Columbia River Basin.

MEMBERSHIP OF COMMISSIONS

SEC. 202. Each river basin commission shall be composed of members appointed as follows:

(a) A chairman appointed by the President who shall also serve as chairman and coordinating officer of the Federal members of the commission and who shall represent the Federal Government in Federal-State relations on the commission and who shall not, during the period of his service on the commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the Federal Government;

(b) One member from each Federal department or independent agency determined by the President to have a substantial interest in the work to be undertaken by the commission, such member to be appointed by the head of such department or independent agency and to serve as the representative of such department or independent agency;

(c) One member from each State which lies wholly or partially within the area, river basin, or group of river

1 basins for which the commission is established, and the ap-
2 pointment of each such member shall be made in accordance
3 with the laws of the State which he represents. In the
4 absence of governing provisions of State law, such State
5 members shall be appointed and serve at the pleasure of the
6 Governor;

7 (d) One member appointed by any interstate agency
8 created by an interstate compact to which the consent of
9 Congress has been given, and whose jurisdiction extends
10 to the waters of the area, river basin, or group of river
11 basins for which the river basin commission is created;

12 (e) When deemed appropriate by the President, one
13 member, who shall be appointed by the President, from the
14 United States section of any international commission created
15 by a treaty to which the consent of the Senate has been
16 given, and whose jurisdiction extends to the waters of the
17 area, river basin, or group of river basins for which the
18 river basin commission is established.

19 ORGANIZATION OF COMMISSIONS

20 SEC. 203. (a) Each river basin commission shall or-
21 ganize for the performance of its functions within ninety
22 days after the President shall have declared the establish-
23 ment of such commission, subject to the availability of
24 funds for carrying on its work. A commission shall termi-
25 nate upon agreement of the Council or agreement of a ma-

1 jority of the States composing the commission. Upon such
2 termination, all property, assets, and records of the commis-
3 sion shall thereafter be turned over to such agencies of the
4 United States and the participating States as shall be appro-
5 priate in the circumstances: *Provided*, That studies, data,
6 and other materials useful in water and related land resource
7 planning to any of the participants shall be kept freely avail-
8 able to all such participants.

9 (b) State members of each commission shall elect a
10 vice chairman, who shall serve also as chairman and co-
11 ordinating officer of the State members of the commission and
12 who shall represent the State governments in Federal-State
13 relations on the commission.

14 (c) Vacancies in a commission shall not affect its
15 powers but shall be filled in the same manner in which the
16 original appointments were made: *Provided*, That the chair-
17 man and vice chairman may designate alternates to act for
18 them during temporary absences.

19 (d) In the work of the commission every reasonable
20 endeavor shall be made to arrive at a consensus of all mem-
21 bers on all issues; but failing this, full opportunity shall be
22 afforded each member for the presentation and report of
23 individual views: *Provided*, That at any time the com-
24 mission fails to act by reason of absence of consensus, the
25 position of the chairman, acting in behalf of the Federal

1 members, and the vice chairman, acting upon instructions of
2 the State members, shall be set forth in the record: *Provided*
3 *further*, That the chairman, in consultation with the vice
4 chairman, shall have the final authority, in the absence of
5 an applicable bylaw adopted by the commission or in the
6 absence of a consensus, to fix the times and places for meet-
7 ings, to set deadlines for the submission of annual and other
8 reports, to establish subcommittees, and to decide such other
9 procedural questions as may be necessary for the commission
10 to perform its functions.

11 DUTIES OF THE COMMISSIONS

12 SEC. 204. Each river basin commission shall—

13 (1) engage in such activities and make such studies
14 and investigations as are necessary and desirable in
15 carrying out the policy set forth in section 2 of this Act
16 and in accomplishing the purposes set forth in section
17 201 (b) of this Act;

18 (2) submit to the Council and the Governor of
19 each participating State a report on its work at least
20 once each year. Such report shall be transmitted
21 through the President to the Congress. After such
22 transmission, copies of any such report shall be sent to
23 the heads of such Federal, State, interstate, and inter-
24 national agencies as the President or the Governors of
25 the participating States may direct;

(3) submit to the Council for transmission to the President and by him to the Congress, and the Governors and the legislatures of the participating States a comprehensive, coordinated, joint plan, or any major portion thereof or necessary revisions thereof, for water and related land resources development in the area. river basin, or group of river basins for which such commission was established. Before the commission submits such a plan or major portion thereof or revision thereof to the Council, it shall transmit the proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and each interstate agency, from which a member of the commission has been appointed, and to the head of the United States section of any international commission if the plan, portion or revision deals with a boundary water or a river crossing a boundary, or any tributary flowing into such boundary water or river, over which the international commission has jurisdiction or for which it has responsibility. Each such department and agency head, Governor, interstate agency, and United States section of an international commission shall have ninety days from the date of the receipt of the proposed plan, portion or revision to report its views, comments, and recom-

1 mendations to the commission. The commission may
2 modify the plan, portion or revision after considering
3 the reports so submitted. The views, comments,
4 and recommendations submitted by each Federal depart-
5 ment or agency head, Governor, interstate agency, and
6 United States section of an international commission
7 shall be transmitted to the Council with the plan, portion
8 or revision; and

9 (4) submit to the Council at the time of submitting
10 such plan, any recommendations it may have for con-
11 tinuing the functions of the commission and for im-
12 plementing the plan, including means of keeping the
13 plan up to date.

14 POWERS AND ADMINISTRATIVE PROVISIONS OF THE
15 COMMISSIONS

16 SEC. 205. (a) For the purpose of carrying out the
17 provisions of this title, each river basin commission may—

18 (1) hold such hearings, sit and act at such times
19 and places, take such testimony, receive such evidence,
20 and print or otherwise reproduce and distribute so
21 much of its proceedings and reports thereon as it may
22 deem advisable;

23 (2) acquire, furnish, and equip such office space as
24 is necessary;

25 (3) use the United States mails in the same manner

1 and upon the same conditions as departments and agen-
2 cies of the United States;

3 (4) employ and compensate such personnel as it
4 deems advisable, including consultants, at rates not to
5 exceed \$100 per diem;

6 (5) arrange for the services of personnel from any
7 State or the United States, or any subdivision or agency
8 thereof, or any intergovernmental agency;

9 (6) make arrangements, including contracts, with
10 any participating government, except the United States
11 or the District of Columbia, for inclusion in a suitable
12 retirement and employee benefit system of such of its
13 personnel as may not be eligible for or continuing in
14 another governmental retirement or employee benefit
15 system, or otherwise provide for such coverage of its
16 personnel;

17 (7) purchase, hire, operate, and maintain passenger
18 motor vehicles; and

19 (8) incur such necessary expenses and exercise such
20 other powers as are consistent with and reasonably re-
21 quired to perform its functions under this Act.

22 (b) The chairman of a river basin commission, or any
23 member of such commission designated by the chairman
24 thereof for the purpose, is authorized to administer oaths

1 when it is determined by a majority of the commission that
2 testimony shall be taken or evidence received under oath.

3 (c) To the extent permitted by law, all appropriate
4 records and papers of each river basin commission shall be
5 made available for public inspection during ordinary office
6 hours.

7 (d) Upon request of the chairman of any river basin
8 commission, or any member or employee of such commis-
9 sion designated by the chairman thereof for the purpose,
10 the head of any Federal department or agency is authorized
11 (1) to furnish to such commission such information as may
12 be necessary for carrying out its functions and as may be
13 available to or procurable by such department or agency,
14 and (2) to detail to temporary duty with such commission
15 on a reimbursable basis such personnel within his adminis-
16 trative jurisdiction as it may need or believe to be useful for
17 carrying out its functions, each such detail to be without loss
18 of seniority, pay, or other employee status.

19 (e) The chairman of each river basin commission,
20 with the approval of the vice chairman, in accord-
21 ance with the general policies of such commission with
22 respect to the work to be accomplished by it and the timing
23 thereof, shall be responsible for (1) the appointment and
24 supervision of personnel employed by such commission, (2)
25 the assignment of duties and responsibilities among such per-

1 sonnel, and (3) the use and expenditures of funds available
2 to such commission.

3 COMPENSATION OF COMMISSION MEMBERS

4 SEC. 206. (a) Any member of a river basin commis-
5 sion appointed pursuant to section 202 (b) and (e) of this
6 Act shall receive no additional compensation by virtue of
7 his membership on the commission, but shall continue to
8 receive, from appropriations made for the agency from which
9 he is appointed, the salary of his regular position when
10 engaged in the performance of the duties vested in the
11 commission.

12 (b) Members of a commission, appointed pursuant to
13 section 202 (c) and (d) of this Act, shall each receive such
14 compensation as may be provided by the States or the inter-
15 state agency respectively, which they represent.

16 (c) The per annum compensation of the chairman of
17 each river basin commission shall be determined by the
18 President, but when employed on a full-time annual basis
19 shall not exceed the maximum scheduled rate for grade
20 GS-18 of the Classification Act of 1949, as amended; or
21 when engaged in the performance of the commission's duties
22 on an intermittent basis such compensation shall be not more
23 than \$100 per day and shall not exceed \$12,000 in any year.

24 SEC. 207. (a) Each commission shall recommend what

1 share of its expenses shall be borne by the Federal Govern-
2 ment, but such share shall be subject to approval by the
3 Council. The remainder of the commission's expenses shall
4 be otherwise apportioned as the commission may determine.
5 Each commission shall prepare a budget annually and trans-
6 mit it to the Council and the States. Estimates of proposed
7 appropriations from the Federal Government shall be in-
8 cluded in the budget estimates submitted by the Council
9 under the Budgeting and Accounting Act of 1921, as
10 amended, and may include an amount for advance to a
11 commission against State appropriations for which delay is
12 anticipated by reason of later legislative sessions. All sums
13 appropriated to or otherwise received by a commission shall
14 be credited to the commission's account in the Treasury of
15 the United States.

16 (b) A commission may accept for any of its purposes
17 and functions appropriations, donations, and grants of
18 money, equipment, supplies, materials, and services from
19 any State or the United States or any subdivision or agency
20 thereof, or intergovernmental agency, and may receive, uti-
21 lize, and dispose of the same.

22 (c) The commission shall keep accurate accounts of all
23 receipts and disbursements. The accounts shall be audited at
24 least annually in accordance with generally accepted auditing
25 standards by independent certified or licensed public account-

1 ants, certified or licensed by a regulatory authority of a
2 State, and the report of the audit shall be included in and
3 become a part of the annual report of the commission.

4 (d) The accounts of the commission shall be open at all
5 reasonable times for inspection by representatives of the juris-
6 dictions and agencies which make appropriations, donations,
7 or grants to the commission.

8 TITLE III—FINANCIAL ASSISTANCE TO THE
9 STATES FOR COMPREHENSIVE PLANNING
10 GRANT AUTHORIZATIONS

11 SEC. 301. (a) In recognition of the need for increased
12 participation by the States in water and related land re-
13 sources planning to be effective, there are hereby authorized
14 to be appropriated to the Council for the next fiscal year
15 beginning after the date of enactment of this Act, and for the
16 nine succeeding fiscal years thereafter, \$5,000,000 in each
17 such year for grants to States to assist them in developing
18 and participating in the development of comprehensive water
19 and related land resources plans.

20 (b) The Council, with the approval of the President,
21 shall prescribe such rules, establish such procedures, and
22 make such arrangements and provisions relating to the per-
23 formance of its functions under this title, and the use of funds
24 available therefor, as may be necessary in order to assure
25 (1) coordination of the program authorized by this title with

1 related Federal planning assistance programs, including the
2 program authorized under section 701 of the Housing Act
3 of 1954 and (2) appropriate utilization of other Federal
4 agencies administering programs which may contribute to
5 achieving the purpose of this Act.

6 ALLOTMENTS

7 SEC. 302. (a) From the sums appropriated pursuant to
8 section 301 for any fiscal year the Council shall from time
9 to time make allotments to the States, in accordance with its
10 regulations on the basis of (1) the population, (2) the land
11 area, (3) the need for comprehensive water and related
12 land resources planning programs, and (4) the financial
13 need of the respective States. For the purposes of this sec-
14 tion the population of the States shall be determined on the
15 basis of the latest estimates available from the Department
16 of Commerce and the land area of the States shall be deter-
17 mined on the basis of the official records of the United States
18 Geological Survey.

19 (b) From each State's allotment under this section for
20 any fiscal year the Council shall pay to such State an amount
21 which is not more than 50 per centum of the cost of carrying
22 out its State program approved under section 303, including
23 the cost of training personnel for carrying out such program
24 and the cost of administering such program.

STATE PROGRAMS

SEC. 303. The Council shall approve any program for comprehensive water and related land resources planning which is submitted by a State, if such program—

(1) provides for comprehensive planning with respect to intrastate or interstate water resources, or both, in such State to meet the needs for water and water related activities taking into account prospective demands for all purposes served through or affected by water and related land resources development, with adequate provision for coordination with all Federal, State, and local agencies having responsibilities in affected fields;

(2) provides, where comprehensive statewide development planning is being carried on with or without assistance under section 701 of the Housing Act of 1954, for full coordination between comprehensive water resources planning and other statewide planning programs and for assurances that such water resources planning will be in conformity with the general development policy in such State;

(3) designates a State agency (hereinafter referred to as the "State agency") to administer the program;

(4) provides that the State agency will make such

1 reports in such form and containing such information
2 as the Council from time to time reasonably requires to
3 carry out its functions under this title;

4 (5) sets forth the procedure to be followed in
5 carrying out the State program and in administering
6 such program; and

7 (6) provides such accounting, budgeting, and
8 other fiscal methods and procedures as are necessary
9 for keeping appropriate accountability of the funds and
10 for the proper and efficient administration of the pro-
11 gram.

12 The Council shall not disapprove any program without first
13 giving reasonable notice and opportunity for hearing to the
14 State agency administering such program.

15 REVIEW

16 SEC. 304. Whenever the Council after reasonable notice
17 and opportunity for hearing to a State agency finds that—

18 (a) the program submitted by such State and ap-
19 proved under section 303 has been so changed that it
20 no longer complies with a requirement of such section;
21 or

22 (b) in the administration of the program there is
23 a failure to comply substantially with such a require-
24 ment, the Council shall notify such agency that no
25 further payments will be made to the State under this

1 title until it is satisfied that there will no longer by any
2 such failure. Until the Council is so satisfied, it shall
3 make no further payments to such State under this title.

4 PAYMENTS

5 SEC. 305. The method of computing and paying amounts
6 pursuant to this title shall be as follows:

7 (1) The Council shall, prior to the beginning of
8 each calendar quarter or other period prescribed by it,
9 estimate the amount to be paid to each State under the
10 provisions of this title for such period, such estimate to
11 be based on such records of the State and information
12 furnished by it, and such other investigation, as the
13 Council may find necessary.

14 (2) The Council shall pay to the State, from the al-
15 lotment available therefor, the amount so estimated by
16 it for any period, reduced or increased, as the case may
17 be, by any sum (not previously adjusted under this
18 paragraph) by which it finds that its estimate of the
19 amount to be paid such State for any prior period under
20 this title was greater or less than the amount which
21 should have been paid to such State for such prior period
22 under this title. Such payments shall be made through
23 the disbursing facilities of the Treasury Department, at
24 such times and in such installments as the Council may
25 determine.

DEFINITION

2 SEC. 306. For the purpose of this title the term “State”
3 means a State, the District of Columbia, Puerto Rico, or the
4 Virgin Islands.

5 SEC. 307. (a) Each recipient of a grant under this Act
6 shall keep such records as the Chairman of the Council shall
7 prescribe, including records which fully disclose the amount
8 and disposition of the funds received under the grant, and
9 the total cost of the project or undertaking in connection with
10 which the grant was made and the amount and nature of that
11 portion of the cost of the project or undertaking supplied by
12 other sources, and such other records as will facilitate an
13 effective audit.

(b) The Chairman of the Council and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant that are pertinent to the determination that funds granted are used in accordance with this Act.

TITLE IV—MISCELLANEOUS

AUTHORIZATION OF APPROPRIATIONS

22 SEC. 401. There are authorized to be appropriated such
23 sums, not to exceed \$10,000,000 annually, as may be
24 necessary to carry out the provisions of titles I and II and
25 the administration of title III.

1 RULES AND REGULATIONS

2 SEC. 402. The Council is authorized to make such rules
3 and regulations as it may deem necessary or appropriate for
4 carrying out those provisions of this Act which are admin-
5 istered by it.

6 DELEGATION OF FUNCTIONS

7 SEC. 403. The Council is authorized to delegate to any
8 member or employee of the Council its administrative func-
9 tions under section 105 and the detailed administration of the
10 grant program under title III.

11 UTILIZATION OF PERSONNEL

12 SEC. 404. The Council may, with the consent of the
13 head of any other department or agency of the United States,
14 utilize such officers and employees of such agency on a re-
15 imbursable basis as are necessary to carry out the provisions
16 of this Act.

Passed the Senate February 25, 1965.

Attest:

FELTON M. JOHNSTON,

Secretary.

AN ACT

To provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

MARCH 1, 1965

Referred to the Committee on Interior and Insular
Affairs

Digest of CONGRESSIONAL PROCEEDINGS

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
Washington, D. C. 20250
Official Business Postage and Fees paid
U. S. Department of Agriculture

Issued March 5, 1965
For actions of March 4, 1965
89th-1st.; No. 41

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HIGHLIGHTS: Sen. Williams, Del., charged USDA trying to "cover up" scandal in rice-cotton acreage allotments program. Sen. Pearson criticized proposed user charge on SCS technical assistance. Sen. Young, N. Dak., inserted article by Sen. Pearson on problems of sugar program. Sen. Sparkman and Rep. Patman introduced and discussed administration's housing bill.

SENATE

1. FORESTRY. Passed as reported S. 435, to extend the boundaries of the Kaniksu National Forest, Idaho, so as to authorize the acquisition of 417 acres of privately owned land (pp. 4035-8). This bill was reported with amendment by the Interior and Insular Affairs Committee on Mar. 3 (S. Rept. 70)(p. 3967). Sen. Byrd, W. Va., reviewed and commended the work of the Forest Service on its 60th anniversary. pp. 4053-4

2. HOUSING. Received the President's message on housing and urban development (H. Doc. 99)(pp. 3967-71). See Digest 39 for items of interest. Sens. Dodd, Douglas, Brewster, and Hart commended the message (pp. 4016, 4055-9, 4071-2, 4082).
3. COTTON; RICE. Sen. Williams, Del., charged that "it appears that the Department of Agriculture is trying to cover up a major scandal wherein there has been large scale overplanting in the acreage allotment of rice and cotton in the Arkansas area," stated that the Department has "allowed the cotton storage program to be abused," and inserted letters from Lester P. Condon, Inspector General, on investigations of the allegations. pp. 4012-4
4. CONGRESSIONAL ORGANIZATION. The Rules and Administration Committee reported without amendment S. Con. Res. 2, to establish a Joint Committee on the Organization of Congress, composed of six members of the House and six members of the Senate, to make a study and recommend improvements in the organization and operation of the Congress (S. Rept. 71). p. 3979
5. SOIL CONSERVATION; USER CHARGES. Sen. Pearson criticized the proposed user charge on SCS technical assistance to farmers and ranchers, and stated that it did not appear that local soil conservation districts would be able to raise the amount of money for such charges which would be needed to keep the conservation program at its present level. pp. 4065-7
6. RESEARCH. Sen. Young, N. Dak., commended the new USDA Metabolism and Radiation Research Laboratory in Fargo, N. Dak., and inserted an article commending the work of the laboratory. pp. 4067-8
7. ELECTRIFICATION. Sen. Metcalf inserted a number of resolutions adopted by the Mid-West Electric Consumers Assoc., Inc., relating to electrification and public power, including one objecting "to any increase in the present 2-percent interest rate on rural electrification and telephone loans." pp. 4076-9
8. SUGAR. Sen. Young, N. Dak., inserted an article by Sen. Pearson outlining "problems our present sugar policies are creating for farmers." pp. 4060-1
Sen. Jordan, Ida., inserted an Idaho Legislature resolution urging enactment of legislation to increase the basic sugarbeet quota for 1955. p. 3978
9. TOBACCO. Sen. Thurmond inserted a S. C. Legislature resolution urging enactment of legislation "removing any authority reposed in the Federal Trade Commission to regulate cigarette labeling and advertising." p. 3978
10. WATER RESOURCES. Sen. Ellender criticized certain provisions of S. 21, the water resources planning bill, recently passed by the Senate. pp. 4094-5
11. PERSONNEL. Sen. Proxmire commended recent appointments by the President to top positions in the Government and inserted a commendatory article on the appointments. pp. 4091-2
12. TRANSPORTATION. Received from the Interstate Commerce Commission proposed bills to amend Sec. 22 of the Interstate Commerce Act, and to provide civil liability for violations of such act by common carriers by motor vehicle and freight forwarders; to Commerce Committee. p. 3976

marks of his position. His advice to the United States was all the more offensive because the record will demonstrate that he has failed to comment or offer advice of any kind in dealing with the repeated acts of aggression by certain Afro-Asian nations.

For example, he had no comment on the forcible annexation of Goa by India, in clear violation of the U.N. Charter. I am not finding fault with Goa's being incorporated into the nation of India; but it was clearly a violation of the United Nations Charter to accomplish that by naked aggression. Yet Mr. U Thant, who now gives us advice, never said one word about that act of naked aggression.

He has failed to urge Indonesia to cease its aggression against Malaysia. There has not been word from him on that subject.

Nor has he suggested to Prime Minister Nasser that he withdraw the 50,000 Egyptian troops which are now occupying Yemen so that the Yemeni people may decide their own future without foreign intervention.

As the representative of the National Government of Yemen has aptly pointed out, the Secretary General has kept silent about the situation in Yemen although he was responsible for a U.N. mission to Yemen set up to supervise Nasser's promised withdrawal from that country.

He has maintained his silence despite the fact that for 14 months Nasser bombed and killed Yemeni citizens before the eyes of U Thant's observers, and that, instead of withdrawing his forces, Nasser has during this period almost doubled their strength, so that they now approximate 50,000 men. There has not been a word from Mr. U Thant on that subject.

I, as one American, wholeheartedly subscribe to the suggestion of the Yemeni representative that the Secretary General get Nasser out of Yemen and tell the great Egyptian people "the true facts and background of the situation in Yemen," which are now being concealed from them by their own government.

In their overwhelming majority, the American people believe in the U.N. and in the objectives to which it is dedicated. But they rightly expect of the U.N., and especially of the man entrusted with the responsibility of Secretary General, a fair and judicious attitude.

They do not expect him to sponsor a position which completely ignores the fact of Communist aggression and which would inevitably lead to a Communist takeover in Vietnam.

The American press has justly been critical of the position taken by the Secretary General. In the interest of the good name of the U.N., it is my earnest hope that the Secretary General will benefit from this experience.

In the course of the debate on Vietnam in the Senate this week and on several previous occasions, it has been suggested that we try to extricate ourselves from Vietnam by turning the entire problem over to the United Nations. As much as I would like to see the peace-keeping role of the United Nations strengthened

and expanded, I believe that this proposal is completely unrealistic in view of the United Nations' present situation.

It ignores the fact that the United Nations is in such strained financial circumstances that even its Palestine refugee operation is in jeopardy.

It ignores the fact that we have thus far not been able to find any way of compelling the Soviet Union, France, and other countries to live up to their past financial obligations or to contribute to future operations of which they disapprove.

It ignores the dangerous shift within the United Nations, a shift which has now given the Afro-Asian nations and the Communist bloc nations the power, if they vote in concert, to prevent any action by the U.N., even when there has been an open violation of the U.N. Charter as in the case of India's invasion of Goa.

It ignores the condition of near paralysis that now afflicts the U.N. in consequence of the deadlock on the issue of continued voting rights for those whose arrears exceed the limits prescribed in article 19.

And, finally, even if all these difficulties did not exist, the recommendation that the problem of Vietnam be turned over to the United Nations becomes preposterous in the face of the declared attitude of the Secretary General, U Thant.

Let us have no illusions on this score: no matter how desirable such a solution might be in theory, there is absolutely no way in which we can disembarass ourselves of Vietnam by turning it over to the United Nations now.

We must face up to this problem ourselves, acting in consort with our Vietnamese allies, with the free nations in the area, and with those Western nations who are prepared to assume their share of the responsibility for the defense of freedom.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. LONG of Louisiana. Is the Senator not aware that the United Nations is now acting pursuant to nothing more than unanimous consent?

Mr. DODD. That is correct.

Mr. LONG of Louisiana. So that it would take only an objection from any Communist country to paralyze it completely.

Mr. DODD. If any effort is made to take any action, I am sure that is what will happen. So it is wholly unrealistic to say, "Get out of Vietnam and let the U.N. take over." The United Nations is in such a state of paralysis that it cannot take over anywhere. That is why I said—I believe before the distinguished majority whip entered the Chamber—that the statement of U Thant makes it preposterous to suggest that the problem be turned over to that organization.

The Secretary General has made clear what he would like to see done in Vietnam, and it is certainly not in the interest of a free world.

Mr. LONG of Louisiana. I agree with the Senator.

Mr. DODD. Mr. President, one of my

colleagues has asked the question whether we can possibly find a solution to the Vietnamese problem which is satisfactory from our standpoint if it turns out that the Vietnamese people themselves want communism.

The mere posing of this question flies in the face of everything we know about communism. It makes as much sense to suggest that perhaps the people of Vietnam want communism as it does to suggest that the people of Vietnam, for some perverse reason, are enamored of earthquakes, or of leprosy, or of famine.

The record is clear that communism has never been accepted by any people anywhere, no matter how primitive they may be.

Even primitive people do not like to be pushed around and terrorized, and told what to do and what not to do. They loathe the compulsory indoctrination periods and the public brainwashing spectacles to which Asiatic communism in particular is addicted.

They do not like to see their religious beliefs ridiculed and defiled. They resent having the upbringing and guidance of their children taken out of their hands by an all-powerful Communist state.

Moreover, primitive peasants are passionately attached to the land that they till.

In every land where communism has taken over, thousands of peasants have died in resisting the confiscation of their lands and the collectivization of agriculture.

And even after they have been collectivized, their sullen resentment of the regime has expressed itself in the form of a subtle but effective sabotage of production which has converted even countries like Yugoslavia and Hungary, which formerly exported food surpluses, into food deficit areas.

The people of Vietnam have manifested their hatred for communism in a thousand different ways.

Certainly the 1 million refugees who fled from North Vietnam leaving behind them their homes and everything they possessed, have given proof of their hatred of communism.

Certainly, too, the 300,000 South Vietnamese who have fled from areas under Communist control have given similar proof.

Finally, millions of South Vietnamese have given eloquent testimony to their hatred of communism by the courage with which they have fought against it in the ranks of the Vietnamese armed forces or in their own village self-defense units.

If our information services were better organized, and if our press gave the same attention to our victories as they give to our defeats, the American people would have heard thousands of stories of inspiring heroism on the part of the Vietnamese people, fighting to protect themselves against the Communist terrorists.

At the conclusion of my remarks, Mr. President, I ask unanimous consent to insert into the RECORD a translation of an official Vietnamese telegram describing a recent battle fought by a Vietnamese militia unit against a Vietcong company.

I would like to pose a few basic questions to those of my colleagues who have urged that we turn the problem of Vietnam over to the United Nations despite the manifest inability of the U.N. to deal with a situation of this magnitude, or who continue to urge negotiations now when such negotiations would obviously culminate in nothing better than a diplomatic surrender.

If we abandon South Vietnam to communism, where do they propose to draw a new line against the advance of communism in the Western Pacific?

What nations do they believe should receive our assistance in defending themselves, and what nations do they believe we should not help to defend themselves?

If they propose falling back to a new defense line in southeast Asia or the Western Pacific, are they prepared to support a greater investment in aid and American manpower than we have now committed to the defense of Vietnam?

What concrete measures do they propose to prevent a massacre of anti-Communist elements in South Vietnam, on the genocidal scale that has characterized the establishment of Communist power, especially in the countries of Asia?

I believe that those who urge that we find ourselves an easy way out of our involvement in Vietnam have an obligation to weigh the consequences of withdrawal and to provide specific answers for the questions I have here posed.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a translation of a recent telegram to Saigon dealing with a successful action against the Vietcong by local militia forces in Son My Village. I think this document is all the more significant because the unit involved on the Government side was made up for the most part of defectors from the Vietcong. The thousands of such actions that have been fought by village self-defense units and by units of the Vietnamese Army constitute the best answer to the suggestion that perhaps the Vietnamese people want communism.

The PRESIDING OFFICER. Without objection, it is so ordered.
(See exhibit 1.)

Mr. DODD. Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the communication of February 24 of Mr. Bushrod Howard, representative of the National Government of Yemen, to Secretary General U Thant.

The PRESIDING OFFICER. Without objection, it is so ordered.
(See exhibit 2.)

Mr. DODD. Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks a tabulation of refugees from communism in Asia which appeared in a study of the Refugee Subcommittee of the Judiciary Committee published only several weeks ago. According to this tabulation, there has been a flow of some 7,700,000 refugees from countries and areas under Communist domination. If we add to this tabulation 1 additional item—the 300,000 South Vietnamese who have fled

from areas under Vietcong control—the total number of Asian refugees from communism rises to approximately 8 million, which is the figure I gave in my speech of February 23.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. DODD. Mr. President, I yield the floor.

EXHIBIT 1

[Unofficial translation]

OFFICIAL TELEGRAM

Originator: Administrative office, Quang Ngai.
Addressee: Special commissariat for Chieu Hol, Saigon, text No. 318-CH/QNG.

Respectfully report to your commissariat: In the event of the operation to liberate the Son My village at Son Tinh district on February 7, 8, 9, and 10, 1965, the provincial Chieu Hol armed propaganda platoon while on duty met with a VC company at My Khe hamlet, Son My village. The platoon has shown its drastic spirit of fighting in 3 hours and has wiped out the VC company. Specially Trinh-Song, the squad leader after carrying Le-Chuong a wounded comrade out of the battlefield, returned to command the fight until the end. He alone with a sub-machinegun has pushed back two assaults of the enemy, killed 15 of them and died after he had fired his last bullet. VC stabbed him all over his body with daggers. Soldier Dinh Tru (a mountaineer) a light machinegunner has protected his comrades and wiped out the enemy with 20 bodies left at the battlefield. Nurse Tran Thi Dao has courageously went out four times to the battlefield to take care of the wounded and died while performing her duty.

RESULTS

On the enemy's part: 85 VC bodies left behind and others being carried off.

On our part: Three died: Bui Minh, deputy platoon leader; Trinh Song, squad leader and translator; Thi Dao, nurse. Three missing: Phan Dung, squad leader, Le Tan May, and Nguyen Nuoi (all are soldiers).

At present, Son My village is completely liberated and construction works being implemented in the hamlets.

Our province remunerated each of these families 3,000 piasters and gave 10,000 piasters for funeral. We warmly complimented this platoon for its sublime fighting spirit and its righteous will of exterminating VC to give significant example to other units.

Respectfully yours,

QUANG NGAI.

FEBRUARY 12, 1965.

Forward to the province chief, deputy province chief for security.

Maj. LU BA KHIEU.

EXHIBIT 2

U THANT,

United Nations, New York:

Your intervention in American political affairs on Vietnam is in dramatic contrast to your silence to the Egyptians on their government's war on Yemen. You were responsible for a 14-month mission in Yemen under which Nasser promised you and the U.N. to withdraw from that country. For 14 months Nasser bombed and killed Yemenis before the eyes of your observers. Time and again he increased his army in Yemen and told the whole world that he would not cease his murder of the Yemeni people despite his pledge to you and to the U.N. You, Secretary General of the United Nations, were and are silent on Nasser in Yemen. We suggest you get Nasser out of Yemen and tell the great Egyptian people the true facts and background of the situation in Yemen. The Yemeni people still await you to speak in answer to the high motives you profess.

BUSHROD HOWARD, JR.,

For the National Government of Yemen.

EXHIBIT 3

EXCERPT FROM THE INTRODUCTION TO "REFUGEES FROM COMMUNISM IN ASIA," A STUDY OF THE COMMITTEE ON THE JUDICIARY, U.S. SENATE, COMPILED BY ITS SUBCOMMITTEE TO INVESTIGATE PROBLEMS CONNECTED WITH REFUGEES AND ESCAPEES

The toll in refugees of Communist aggrandizement in Asia is the subject of this report. The refugees include the following groups:

1. Approximately 5 million Koreans who fled from North to South Korea following the Soviet occupation of North Korea in 1945, and, subsequently, during the Korean war;
2. One million Chinese who fled into Hong Kong and Macao before the advancing tide of Communist military and political conquest, plus an additional 340,000 Chinese who escaped since 1950;
3. Nearly 40,000 Europeans from mainland China, 20,000 of whom were evacuated to the Philippines during 1948-51, the remainder having found their way into Hong Kong;
4. Some 960,000 Vietnamese who fled from North to South Vietnam, and adjacent areas, in 1954, plus additional thousands displaced by the current hostilities in South Vietnam;
5. Some 60,000 Tibetans who entered India and Nepal following the bloody suppression of the Tibetan revolt by Chinese Communist forces in 1959;
6. The many victims of the India-China border war in 1962; and
7. Approximately 240,000 inhabitants of Laos who, as a result of Communist activities, have been displaced from their homes in the countryside, and have fled to secure areas under the control of the Lao Government.

WATER RESOURCES PLANNING ACT

Mr. ELLENDER. Mr. President, some time ago the Senate considered Calendar No. 65, S. 21. I did not learn about it until a few days after the bill was passed. I wish to address myself to it.

Page D123 of the CONGRESSIONAL RECORD of February 24, 1965, shows under "Bill reported" the following:

Report was made as follows: S. 21, proposed Water Resources Planning Act, with amendments (S. Rept. 68), page 3392.

Turning to page 3392, there is a simple announcement of the submission of the report by Mr. ANDERSON.

The "Program for Thursday" as reported in the Daily Digest was as follows:

Senate met at 11 a.m. and adjourned at 5:26 p.m. until noon Thursday, February 25, when it will continue its consideration of H.R. 45, to amend the Inter-American Development Bank Act, pages 3451, 3454.

Referring to the body of the RECORD, there is no indication of anything else to be considered by the Senate on Thursday.

On Thursday, February 25, the majority leader moved that the Senate proceed to the consideration of Calendar No. 65, S. 21, and that it be made the pending business. The committee amendments were then printed in the RECORD, together with the bill as amended by the Senate committee. By unanimous consent, the committee amendments were agreed to and there was inserted in the RECORD an explanation of the bill. Then, except for a brief colloquy between Senator AIKEN and Senator ANDERSON with respect to the interpretation of the phrase, "The resolution of the States' rights issue in the field of water resource

development, if it is in fact an issue, should be the subject of separate legislation," the bill was passed without objection.

Although it is recognized that a bill to accomplish the same purpose was enacted as S. 111 of the 88th Congress, good legislative procedure would dictate the desirability of having hearings and reports available for study by the Members for a reasonable length of time. In this case, it is extremely doubtful if even the reports were available 2 hours before the Senate met and took up the bill. This is particularly significant since there appears to be very little urgency for the immediate consideration of the bill. If, however, there were very cogent reasons for the immediate consideration of such a proposal, it would seem that the very least the Members could expect would be a quorum call.

The question of the establishment of river basin commissions was thoroughly considered by the Select Committee on Water Resources, headed by the late distinguished senior Senator from Oklahoma, Robert S. Kerr. Senator Kerr took the position that it would be unwise to provide blanket authorization for the creation of river basin commissions. If and when the desirability of such a Commission was demonstrated, the committees could authorize the creation of such a Commission tailored to meet the particular needs of the area. Pursuant to this philosophy, there was created the Delaware River Basin Commission. As a result, each year we have been appropriating funds for the salaries of the alternate Federal representative and his staff, together with a contribution toward the cost of a Commission staff located within the basin. For these purposes, the Congress appropriated \$39,000 for salaries last year and has been requested to appropriate \$44,000 for fiscal year 1966. For the contribution toward the Commission staff, the Congress appropriated \$92,000 last year and has been requested to appropriate \$96,000 this year. Notwithstanding the existence of this Commission, the demand for studies by the regular Federal agencies have, if anything, increased with a corresponding increase in the cost of each individual study because of the additional coordination and review required. It may be that at some time in the future the value of such a river basin commission will be clearly established. At the present time, its value is questionable.

I wonder if the Congress intended to convey as broad powers upon the Water Resources Council as the act apparently would confer. For instance:

SEC. 103. The Council shall establish, with the approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects. Such procedures may include provision for Council revision of plans for Federal projects intended to be proposed in any plan for revision thereof being prepared by a river basin planning commission.

If this paragraph means what I think it does, the Congress is abrogating its

authority and control over water resource development to a Council appointed by the President and the Governors of the States bordering the river basin. It has not been too long since Congress expressed its disapproval of budget circular No. 847 in such forceful terms that that directive was rescinded. New criteria has recently been issued for the evaluation of navigation projects which, in my judgment, will negate the principles embraced by the administration in adopting the recommendations of the Kerr committee in Senate Document No. 97.

With respect to the establishment of river basin commissions, it is apparent that such a commission can be established if a majority of the States in a basin desire such a commission, and such an organization would then be forced upon the other States in the basin which may oppose the creation of such a super-planning agency. This is exactly the sort of thing that Senator Kerr strove to prevent.

Under "Powers and Administrative Provisions of the Commissions," we find:

(2) acquire, furnish, and equip such office space as is necessary.

It may be significant that the word used here is "acquire" and not "rent." Certainly, this authority would be broad enough to acquire by purchase. Do we really want to convey such authority upon innumerable river basin commissions?

When we come to the matter of compensation of Commission members, we find:

(c) The per annum compensation of the chairman of each river basin commission shall be determined by the President, but when employed on a full-time annual basis shall not exceed the maximum scheduled rate for grade GS-18 of the Classification Act of 1949, as amended—

In other words, we are providing authority to employ a Chairman of a river basin commission for \$24,500 a year, which is in excess of the salaries paid the Governors of Arizona, Arkansas, Colorado, Connecticut, Delaware, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Oregon, South Carolina, South Dakota, Tennessee, Utah, Vermont, Washington, West Virginia, and Wyoming; and substantially the same as the salaries of 12 other States that pay their chief executives \$25,000 a year.

Another very questionable provision of that bill would be section 207(a):

Each commission shall recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission's expenses shall be otherwise apportioned as the commission may determine * * *. Estimates of proposed appropriations from the Federal Government shall be included in the budget estimates submitted by the Council under the Budgeting and Accounting Act of 1921, as amended, and may include an amount for advance to a commission against State appropriations for which delay is anticipated by reason of later legislative sessions.

With blanket authority of this type made available to undisclosed numbers of river basin commissions that could be established, there would be little control which the Appropriations Committee could exercise after the agreements were consummated by the Federal representatives on the river basin commissions and the Council.

The bill provides for an annual appropriation of \$10 million to carry out the purposes of the act. I doubt whether such appropriations will be adequate after the potentials of empire building under this authorization are fully realized.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, it is anticipated that the conference report on the Inter-American Bank will be brought up on Monday, as will be the bill calling for the continuation of the disarmament agency, and sundry nominations.

AMERICAN POLICY IN VIETNAM

Mr. LONG of Louisiana. Mr. President, Communist aggression—and subversion—and sabotage and terrorism—these are not something new under the sun. We have seen them before. Doubtless we shall see them again.

We saw them at work nearly two decades ago in Greece. There, Communist guerrillas tried to conquer a free people. They got help in the form of weapons and equipment from their comrades abroad. They were able to use neighboring territory as a sanctuary. American assistance and military advisers helped our Greek allies to beat back the Communist rebellion. When a conflict within the Communist camp shut down the flow of supplies and eliminated the sanctuary, it sounded the death knell to this Communist attack on freedom.

In Malaya, a large-scale Communist guerrilla movement tried to win over that country. With persistence—and at great expense in lives and money—Malayan and British forces were able to isolate the Communist rebels from the majority of the population and to crush the subversive movement. But it required a dozen years and great efforts.

In the Philippines, the Huk movement threatened to conquer the country. Inspired local leadership, imagination, and determination—plus effective assistance from American friends—enabled the Filipino people to preserve their freedom.

In Korea, the massed might of the Soviet-directed North Korean Communist armies swept south across the 38th parallel in 1950 to conquer South Korea. U.S. forces and contingents from other U.N. members moved in to help the South Koreans. The aggressors were thrown back. Even though the full weight of Red China's armies entered the battle, the Communists were never able to achieve their goal—the conquest of South Korea.

The lessons of these two decades of Communist aggression are clear. The Communists will try whatever tactics

they believe will succeed in conquering territory and peoples by force. In each case, they will try different tactics and methods that they believe will work for them in the local circumstances. But another lesson is just as clear—if free men are determined to stay free, and if they can rely on needed help from their friends, they can succeed in beating down the Communist efforts to conquer them and to absorb them as new colonies in the Communist world.

Today, in Vietnam, we are seeing the latest effort by the Communists to seize new lands and to capture a people who want to be independent. It has been going on for more than a decade. But in the past year or two, it has reached entirely new levels of intensity. While the war in Vietnam shares some of the characteristics of each of the previous Communists efforts at conquest, it has some elements that are entirely new.

For the first time, foreign territory is used not merely as a sanctuary for the Communist forces but as the principal base of operations. The entire effort to conquer the South was conceived in North Vietnam—it is directed from North Vietnam—it is supplied and maintained by North Vietnam. The bulk of the hard-core Communist forces were trained and supplied by the Army of North Vietnam. Increasingly, the officers and men moving into the South are North Vietnamese who have never even seen South Vietnam before.

In addition, the Communists are waging not merely a military war. They are not relying solely on armed attacks and terrorism, though these are vital to the effort. They have also developed a comprehensive political and propaganda machine to back up their efforts. They are working day in and day out to influence and cajole, to mislead and misguide the people. They seek to weaken morale and to undercut the authority of the South Vietnamese Government by every possible means. They are, in short, fighting a full-scale military and political war using every weapon in the book.

We cannot pretend that we have discovered fully effective countermeasures to meet this new kind of warfare. But the South Vietnamese have developed a much better understanding of the enemy over recent years, and their capacity to meet the threat is improving.

So long as the Communist rebels can rely on a steady supply of new men, new weapons, fresh ammunition, and supplies from the North—and this flow has increased decisively in the recent past—it will be difficult indeed for the defenders in the South to cope with both the military threat, the terrorism, and the all-out campaign of political and psychological warfare that is going on.

There are no easy and obvious answers to this new style of Communist aggression. Under the best of circumstances, it is going to take time to fully defeat this attempt at conquest. For the present, it will probably be necessary to do what is now being done—to meet the most pressing armed threat on the ground, in the jungles, and in the mountains. We hope that the new government in Saigon will be able to turn more of its

attention to the need to wage more intensive and extensive war on the political, social, and economic fronts.

(At this point, Mr. KENNEDY of New York took the chair as Presiding Officer.)

Mr. LONG of Louisiana. Mr. President, in the meantime, it is urgently necessary to convince the authorities in Hanoi who are running this war that their efforts will be in vain—that they cannot succeed—that they stand in the long run to lose far more than they can hope to gain by attacking the south and ignoring the desires and the hopes and the needs of their own people.

It is generally agreed that the foreign policy of a republic such as ours should be responsive to the will of its people. It is.

A few days ago, it was suggested that our actions and our policies in Vietnam would perhaps be different if we, the people, were deciding those actions and determining that policy. I disagree most emphatically. For it is evident to me that the people have spoken—loudly and clearly—on this issue.

Whether one looks at the votes of this body or of the House, whether one looks at the opinion polls or at the votes of our people, we find a ringing endorsement for the actions of this administration—and of previous administrations—in regard to Vietnam. The people of the United States have made it unmistakably clear that they are ready and willing to help the people of South Vietnam resist the aggression which has been forced upon them from the outside.

More than 10 years ago, in 1954, President Eisenhower defined that policy. He determined that it was in our national interest to lend assistance to the new, young Republic of Vietnam—to help it make its own way and to resist the armed threat it faced even then. Writing to the president of South Vietnam, President Eisenhower said:

The implications of the agreement concerning Vietnam have caused grave concern regarding the future of a country temporarily divided by an artificial military grouping, weakened by a long and exhausting war and faced with enemies without and by their subversive collaborators within.

President Eisenhower went on to say:

The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong, viable state, capable of resisting attempted subversion or aggression through military means.

We have gone forward with that program of assistance in the intervening years, increasing it as the pressures on South Vietnam increased, as the size of the aggression against her expanded.

Once again, the people spoke through their elected representatives in 1955. Then the Manila Pact, which included South Vietnam as a protocol state, was approved by this body by a vote of 82 to 1.

More recently—in August of last year—the Congress resoundingly approved a joint resolution concerning our actions in Vietnam. Among other things, that resolution stated:

That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary meas-

ures to repel any armed attack against the forces of the United States and to prevent further aggression.

And that—

The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in southeast Asia.

And that—

The United States is, therefore, prepared as the President determines, to take all necessary steps, including the use of Armed Forces, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

I remind you, Mr. President, that this resolution was approved by the votes of 414 Representatives in the House. In the Senate, the vote was 88 to 2.

The people of the United States have expressed themselves clearly—and unequivocally—in this combined vote of 512 to 2 in support of our President.

I remind the Senate that the President himself, all the Members of the House, and many of the Members in this body have since submitted themselves, their records, and their expressed opinions to the judgment of our sovereign people. The Senate will recall the results last November. It was the most impressive vote of confidence ever rendered by the people in a President and his administration of our foreign and domestic affairs.

Now, the two Senators who voted against the joint resolution of last August have done a good deal of talking about the situation in Vietnam. Indeed, it seems to me they have, between them, talked on this matter almost as much as the rest of the Senate put together. But there is no evidence that they have altered to any significant degree the opinions of this body—or of the great American people.

President Johnson described our policy when he signed the joint resolution of the Congress. He said then:

To any armed attack upon our forces, we shall reply.

To any in southeast Asia who ask our help in defending their freedom, we shall give it.

In that region, there is nothing we covet, nothing we seek—no territory, no military position, no political ambition. Our one desire—our one determination—is that the people of southeast Asia be left in peace to work out their own destinies in their own way.

There are some who now say that, in the face of mounting aggression from North Vietnam, we should cut our losses and get out. They would have us abandon our friends, drop our commitments, and surrender our honor.

That, I submit, is not our way. That, we shall not do. So long as there are South Vietnamese who wish to fight for their freedom, who are willing to oppose the foreign tyranny that seeks to impose itself upon them, they will find us at their side, helping in every practical way.

The voices that say "Get out" remind me of those voices of 25 years ago who said "Stay out." But we learned then—to our sorrow and at incalculable loss—that aggression will not be appeased. We learned that tyranny feeds on its own successes. We learned that dictatorial

House March 5 1965

15. FARM LOANS. Passed, 217-113, under suspension of the rules, H. R. 5075, to authorize an increase from \$200 million to \$450 million in the annual limitation on insured real estate loans under the Consolidated Farmers Home Administration Act. pp. 4868-72
- Passed under suspension of the rules H. R. 4152, to amend the Federal Farm Loan Act and the Farm Credit Act of 1933 so as to provide means for expediting the retirement of Government capital in the Federal intermediate credit banks, including an increase in the debt permitted such banks in relation to their capital and provision for the production credit associations to acquire additional capital stock therein, and to provide for allocating certain earnings of such banks and associations to their users. pp. 4866-8
17. WATER RESOURCES. The Interior and Insular Affairs Committee reported with amendments H. R. 1111, to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning (H. Rept. 169). p. 4928
18. RESEARCH. Rep. Roush spoke on the geographic distribution of the research and development fund calling particular attention to "the adequate use of our Nation's scientific manpower." p. 4876
19. FTC. Rep. Evins, Tenn., paid tribute to the Federal Trade Commission on its 50th anniversary. pp. 4876-8
20. FARM INCOME. Rep. Findley claimed the Administration's "action in dumping of massive quantities of Government grain stocks is a principal reason for the latest decline in net income for I. inois farms." p. 4896
- Rep. Langen stated "the agricultural situation in this country continues its steady deterioration" and inserted an "Independent Bankers Association Agriculture Committee Position Paper on the Rural Economy." pp. 4897-8
21. INTERGOVERNMENTAL RELATIONS. Rep. Fountain commended and inserted a compilation, "Excerpts From Gubernatorial Messages Which Would Carry Out Recommendations of the Advisory Commission on Intergovernmental Relations," including items on water resources planning and water pollution. pp. 4909-12
22. FARM PROGRAM. Rep. Hansen, Iowa, inserted excerpts from an address by the president of the National Farmers Union on the "role of America in a technological world." pp. 4920-1
23. MANPOWER. The Education Committee reported with amendment H. R. 4257, to amend the Manpower Development and Training Act of 1962, as amended (H. Rept. 170). p. 4928
24. FLOOD CONTROL. Received a Mont. State Legislature memorial requesting "that certain provisions of Public Law 566 be enlarged to fit the needs of the State of Montana and other western States by raising the flood control allowance to 12,500 acre-feet, the reservoir limitation to 40,000 acre-feet, and the water shed drainage area to 400,000 acres." p. 4930

25. TOBACCO; HEALTH. Received a Wash. State Legislature memorial asking support of "legislation requiring that cigarettes be labeled as hazardous to health." p. 4931
26. SOIL CONSERVATION; USER CHARGES. Reps. Hall, Hansen (Idaho) and Tupper criticized the proposed user charge on SCS technical assistance to farmers and ranchers. pp. 4882, 4884, 4898.
27. APPROPRIATIONS. Received from the President supplemental appropriation estimates for the fiscal year 1965 for the Appalachian Regional Development Program (H. Doc. 110), which includes \$42,840,000 for agencies of this Department. Attached to this Digest is a table showing the composition of the items for this Department. As submitted, the estimates would provide funds for the balance of the fiscal year 1965 and through the fiscal year 1966. p. 4928
- Received from the President supplemental appropriation estimates for the fiscal year 1965 which include: items for the Forest Service for the repair or replacement of Government-owned improvements and facilities lost or damaged in recent flood disasters (H. Doc. 111). The estimate includes \$4,200,000 for "Forest land management" and \$2,000,000 for "Forest roads and trails." p. 4928

ITEMS IN APPENDIX

28. CIVIL SERVICE. Sen. Yarborough inserted an article paying tribute to John W. Macy, Chairman of the Civil Service Commission. pp. A1148-9
29. ELECTRIFICATION. Extension of remarks of Rep. Evins favoring the appointment of Paul H. Tidwell, as the new president of the National Electric Cooperative Association. pp. A1149-50
30. FARM ECONOMY. Extension of remarks of Rep. Callan stating that "The economy of this country can well afford to support agricultural programs", and "...we cannot afford to overlook the contributions of American Agriculture." pp. A1154-5, A1170-1
31. FARM LABOR. Rep. Teague, Calif., inserted an article, "Harvest of Sham", outlining the problem faced by our agricultural industry. pp. A1163-4
32. COMMUNITY DEVELOPMENT. Extension of remarks of Rep. MacGregor favoring the Republican sponsored bill to provide for the creation of an Office of Community Development in the Executive Office of the President. pp. A1164-5
33. WILDLIFE. Rep. Dingell inserted an article, "Congressman Aspinall and Saylor Honored by Wildlife Federation." pp. A1168-9
34. OPINION POLL. Rep. Fisher inserted the results of an opinion poll, including Appalachia, aid to education and Federal expenditures. p. A1180
35. GUAM. Rep. Saylor inserted an address advocating a free port for Guam, and stating that agriculture was once the "backbone of island economy." pp. A1180-1

WATER RESOURCES PLANNING ACT

MARCH 15, 1965.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. ROGERS of Texas, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany H.R. 1111]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 1111) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 2, lines 2 to 8, inclusive, strike out all of section 2 and insert the following:

SEC. 2. In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprise with the cooperation of all affected Federal agencies, States, local governments, individuals, corporations, business enterprises, and others concerned.

Page 2, lines 20 to 23, inclusive, strike out all of subsection (b) and insert the following:

(b) to change or otherwise affect the authority or responsibility of any Federal official in the discharge of the duties of his office except as required to carry out the provisions of this Act with respect to the preparation and review of comprehensive regional or river basin plans and the formulation

and evaluation of Federal water and related land resources projects;

Page 3, line 7, change the period to a semicolon.

Page 3, after line 7, add a new subsection to read as follows:

(d) to deprive any court of the United States or of any State of jurisdiction over a matter in controversy affecting water or any water course.

Page 3, line 15, after the word "other" insert "Federal".

Page 3, lines 20 to 24, inclusive, strike out all of subsection (a) and insert the following:

(a) maintain a continuing study and prepare an assessment biennially, or at such less frequent intervals as the Council may determine, of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and

Page 4, line 10, after "establish," insert "after public notice and hearing, and".

Page 4, line 21, strike out "204(a)(3)" and insert "204(3)".

Page 7, line 12, strike out "SEC. 201. (e)" and insert "SEC. 201. (a)".

Page 7, line 23, to Page 8, line 2, inclusive, strike out—

or, in the event the Upper Colorado River Basin is involved, by at least three of the four States of Colorado, New Mexico, Utah, and Wyoming.

and insert the following:

and, in the event the Upper Colorado River Basin is involved, by at least three of the four States of Colorado, New Mexico, Utah, and Wyoming or, in the event the Columbia River Basin is involved, by at least three of the four States of Idaho, Montana, Oregon, and Washington.

Page 8, line 7, strike out "and local" and insert "local and non-governmental".

Page 8, line 12, strike out "and local" and insert "local and non-governmental".

Page 10, lines 22 and 23, strike out "agreement" and insert "decision".

Page 11, line 4, strike out "resource" and insert "resources".

Page 18, line 22, strike out "State" and insert "State,".

Page 21, line 8, after "agencies" insert ", and nongovernmental entities".

Page 21, line 13, after "1954," insert "or under the Land and Water Conservation Fund Act of 1965,".

Page 23, between lines 23 and 24, insert the heading "RECORDS".

Page 24, lines 17 through 19, strike out all of section 402 and insert in lieu thereof:

SEC. 401. There are authorized to be appropriated not to exceed \$150,000 annually to carry out the provisions of title I of this Act, \$6,000,000 annually to carry out the provisions of title II, and \$400,000 annually for the administration of III: *Provided, That*, with respect to title II, not more than

\$750,000 annually shall be available for any single river basin commission.

PURPOSE

The purpose of H.R. 1111, introduced by Chairman Aspinall, is to encourage and make possible the prudent development of the Nation's water and related land resources through sound, comprehensive, and coordinated planning. To accomplish this purpose, H.R. 1111 establishes a Cabinet-level Water Resources Council in the executive branch; authorizes the President to establish river basin planning commissions when and where they are needed; and provides for financial assistance to the States for water resources planning.

The Water Resources Council will be composed of the Secretaries of the Interior, the Army, Agriculture, and Health, Education, and Welfare, and the Chairman of the Federal Power Commission. It will have the responsibility for guiding the Nation's planning effort in the water resources field and keeping the President and the Congress informed on the water needs of the Nation.

The river basin commissions will be established upon the basis of need and at the request of the States involved or of the Council. They will prepare and keep up-to-date comprehensive, integrated joint plans for Federal, State, interstate, local, and nongovernmental development of water and related land resources.

The financial assistance to the States for which H.R. 1111 provides would be on a dollar-for-dollar matching basis, and would enable them to play a more effective role in planning the development and conservation of their water and related land resources.

The present responsibilities of the Federal Government or of the States relative to the development, control, or use of water will be neither expanded nor diminished by enactment of H.R. 1111. Existing laws will not be modified or superseded by this legislation, and commissions will not be established where adequate planning is already being accomplished by some other means. The preparation of detailed plans and specifications for individual projects and the construction and operation of works of improvement will continue to be the responsibility of appropriate Federal agencies, States, municipalities, local groups, or nongovernmental entities.

NEED

This Nation has been blessed thus far with a bountiful supply of water. However, when we consider the water needs of our increasing population and our expanding industry and agriculture, we cannot regard the situation with complacency. Our present water use of around 300 billion gallons a day is expected to be more than doubled in the next 20 years. Until a few years ago, in most parts of our country, water was generally sufficiently plentiful to be taken for granted. Today, we are beginning to recognize its value and necessity and cost, and to understand how essential it is not only to meet our domestic needs but to agriculture, commerce, industry, and recreation. An ample supply of good quality water is essential if the United States is to continue to grow and prosper.

Our supply of water is not always consistent with our needs of time and place. While the overall national water supply is abundant, it is not distributed equally. Shortages in some sections of the country

are becoming critical. At the same time, in areas with adequate quantities of water, problems arise because of floods and pollution. Also, it is not uncommon to have floods and droughts in the same part of the country within a period of a few months.

To meet needs of our cities and our industries as available uncommitted supplies dwindle will require the movement of water over long distances. The pollution of our rivers and streams is of grave importance and of particularly deep concern because of the impact of water quality on all water uses. Increasing concentration of population makes treatment of sewage more important, and greater use of water by industry intensifies the problem of pollution by industrial waste. In addition, water resources planning must now give consideration to the demand of the American people for outdoor recreation opportunities and recognize that water-oriented recreation is one of the Nation's fastest growing industries.

Thus, we must plan the use of our Nation's available water supplies to provide maximum benefits to all purposes—controlling floods and preventing pollution, providing water for domestic, municipal and industrial use, and for irrigation, assisting navigation, providing hydroelectric power and energy, and providing outdoor recreation opportunities and fish and wildlife conservation and enhancement. Comprehensive planning as contemplated by H.R. 1111 is a key element in resolution of the problems of water supplies and various water use requirements which face this Nation in the years ahead. It will permit this Nation to develop, manage, and utilize its basic water supply to best meet demands as they arise, both in terms of quantity and in terms of quality.

BACKGROUND

Neither the proposal that planning be conducted on a comprehensive, coordinated basis nor the general approach for providing more effective Federal-State comprehensive river basin planning which is embodied in H.R. 1111 is new. They have been continuously urged at least since the 1951 Report of the Water Resources Policy Commission appointed by President Truman and the 1955 Report of the Presidential Advisory Committee on Water Resources Policy appointed by President Eisenhower.

The specific legislative proposal embodied in H.R. 1111 is the product of a concerted effort during the last 6 years. The forerunner of this legislation was H.R. 3704 of the 86th Congress, which was developed by the committee and introduced by Chairman Aspinall in 1959. A similar bill in the 87th Congress (H.R. 2202) was also introduced by Mr. Aspinall.

In July 1961, President Kennedy requested Congress to enact legislation authorizing comprehensive and coordinated planning by Federal and State agencies. This request was accompanied by a draft of a bill which was introduced as H.R. 8177 and S. 2246 in the 87th Congress. H.R. 3620, introduced by Mr. O'Brien of New York, and S. 1111 of the 88th Congress were revised versions of those bills, reflecting particularly the suggestions made by representatives of the States that the river basin commissions be truly Federal-State in character. S. 1111 passed the Senate on December 4, 1963. The committee held 4 days of hearings on it in March and April of 1964 and reported it to the House in September after several days of executive consideration

in subcommittee and full committee. However, Congress was nearing adjournment and the legislation was not given a rule and was not called up in the House.

With minor changes, H.R. 1111, as introduced, is the same as the bill approved by the committee last year.

DISCUSSION

Conservation and wise use of this Nation's natural resources is necessary to an expanding economy, to lasting progress, and to a continuing improvement of our way of life. In recent years, we have become increasingly aware of the interrelated problems in the broad fields of conservation and the need for greater effort in resolving them. This particularly applies to the problems affecting the Nation's water resources. No other major responsibility of the Federal Government is so divided as that relating to the conservation, development, and utilization of the Nation's water and related land resources. As our limited water supplies dwindle in relation to our national needs, choices among alternative uses will have to be made. It is therefore becoming increasingly important that an effective means be established for water resources management which will achieve maximum beneficial use of our limited water resources. The statement of policy in H.R. 1111 is directed to this objective.

WATER RESOURCES COUNCIL

Title I of H.R. 1111 will establish a Federal Water Resources Council to coordinate river basin plans and maintain a continuing study of water supply requirements and management. This group, composed of the Secretaries of the Interior, the Army, Agriculture, Health, Education, and Welfare, and the Chairman of the Federal Power Commission, in addition to guiding the Nation's water planning effort, will keep the President and the Congress advised on our national water situation.

The Water Resources Council will be empowered, with the approval of the President and after public notice and hearings, to establish "principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects." It will also review plans submitted to it by river basin commissions, recommend such changes in the plans as it deems appropriate and desirable in the national interest, and transmit them to the President with comments of other Federal and State officials concerned. The President, in turn, will review the plans and transmit them to Congress with his recommendations regarding the authorization of Federal projects.

The committee believes that the Water Resources Council, with the authority and responsibilities given to it in H.R. 1111, will provide an effective mechanism not only for guiding our national water planning effort but also for bringing the agency heads together on a regular basis for coordinated planning of their respective program responsibilities and for resolving interagency conflicts. Statutory authority for this Council will, it is believed, strengthen the present collaboration in water resources matters that is being accomplished by Presidential direction. If this legislation is enacted, the committee expects the

Council to accept responsibility for eliminating duplication of planning effort and competition among the Federal departments and agencies.

RIVER BASIN COMMISSIONS

Title II of H.R. 1111 creates a framework under which joint Federal-State commissions can be established where needed for planning comprehensive development of the water and related land resources of river basins, regions, or groups of related river basins.

The river basin commissions will serve as the principal agencies for the coordination of Federal, State, local, and nongovernmental plans for the development of water and related land resources in the area or river basins where they are established. They will prepare comprehensive and coordinated plans and keep these plans up to date. They will also recommend long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects.

Comprehensive river basin planning must necessarily be a joint Federal-State effort. Both States and the Federal Government have important resource responsibilities. The language in title II explicitly recognizes State functions and responsibilities and spells out the Federal-State relationships involved in the planning effort.

The commissions would be made up of representatives of the Federal Government and the basin States and, where appropriate, interstate agencies and international commissions. Each representative would be appointed and compensated by, and responsible to the agency or State he represents. Because of their makeup the commissions will be assured of acceptance and support by all interests, local and national, governmental and nongovernmental, that are concerned with water and associated land resources development. The committee believes these planning commissions would be effective in actually producing plans that make maximum and best use of our water resources and are practicable of accomplishment. They will submit annual reports to the Council and to the Governors of the participating States. Such reports will be transmitted through the President to the Congress. Proposed plans and revisions thereof will be sent for comment to each Federal agency, Governor and, where appropriate, interstate agency and international commission. Final plans will be submitted to the Governors and legislatures of the participating States and to the Council for transmission to the President and by him to the Congress.

The joint Federal-State concept is carried out further by the provisions that commission expenses shall be shared by the Federal Government and the participating States and that the commissions are authorized to arrange for the services of personnel from Federal, State, interstate, and local agencies.

The chairman, an appointee of the President, and the vice chairman, elected by the State members of the commission, would be assigned special responsibilities to represent Federal and State members respectively in matters of Federal-State relations.

It is clearly understood that river basin commissions will be created only where and when it is determined that they are needed. Their establishment will have to be concurred in by not less than half of the States involved. In addition, a commission involving the Upper Colorado River Basin or the Columbia River Basin could not be

established unless, in either instance, there was concurrence by three out of four States specifically named in the legislation. There are, of course, regions and river basins where adequate means for comprehensive planning already exist and where adequate comprehensive planning is already being performed. It is not intended that functioning mechanisms which are already in existence and are adequately performing the planning job be replaced by commissions authorized in this legislation.

One of the virtues of H.R. 1111 is its specific recognition that no single planning mechanism is necessarily best in all circumstances. While providing a kind of basin commission that is likely to suit most regions and most problems, the bill expressly recognizes and safeguards other arrangements such as interstate compacts. The establishment and maintenance of a soundly conceived intergovernmental planning apparatus, however, will be simplified by enactment of a Federal statute of general application. There will then be no need to start afresh to negotiate the structure of a comprehensive water resources planning effort each time it is desired to institute such planning for a particular basin or region. On the other hand, the parties will not be foreclosed from starting afresh if they think they can devise a more satisfactory arrangement for their special circumstances.

H.R. 1111 recognizes that planning is a continuing process. It provides for developing comprehensive river basin plans and for keeping them up to date. In recent years Congress authorized the Texas Study Commission and the Southeast Study Commission for comprehensive planning covering specific areas. These commissions have completed their studies and reports and are no longer in existence. The experience gained from the work of these two commissions has been very helpful in developing this legislation. For instance, these commissions had no designated authority, such as the Water Resources Council, through which to report to the President and to the Congress. Also, there was the problem of where to deposit their records, backup studies, planning data, etc., at the time they went out of existence. Then, there was the problem of the plans becoming outdated. In at least one of these areas there is already an effort to reestablish a permanent planning mechanism to keep the plans up to date and to follow through with recommendations for development. The availability of the authority in H.R. 1111 would permit basin planning on a continuing basis to meet current needs and circumstances, and there would be an established procedure for forwarding, through the Water Resources Council, the basin plans or revisions thereof to the President and to the Congress. In addition, there would be uniformity among the commissions and uniform procedures established for all Federal agencies and States in connection with the work of the commissions. The relationship between the commissions and the Federal agencies and the States would be well understood. As compared to a procedure where planning commissions would have to be separately authorized as needed, the provisions of H.R. 1111 would result in saving both time and money.

Complete unanimity of opinion among the members of a river basin commission will not always be possible. There will be diverse interests and objectives. There will be conflicts over water use. The language of H.R. 1111 recognizes this and provides full opportunity for expression of such diversity and for evaluation and submis-

sion of alternative plans for achieving optimum¹ water resources development. The river basin plans would be reviewed by the Council and submitted to the President and the Congress. The Water Resources Council would include in such transmittal its own recommendations.

FINANCIAL ASSISTANCE TO THE STATES

The Federal matching grants to the States which are authorized in title III of H.R. 1111 will be of great assistance to them in discharging their responsibilities for water planning. The States will be able to play a more active role than is now the case in planning for the development and conservation of their water resources. Congress has repeatedly recognized that the States have major responsibilities in the water field and in controlling the use of their water, and the financial assistance provided in this legislation will encourage and assist all the States in meeting these responsibilities.

In order to obtain financial assistance a State will have to submit its program for comprehensive water and related land resources planning to the Council for its approval. The State will then be able to obtain, from its allotment of the amount appropriated by Congress, up to 50 percent of the cost of carrying out the approved program.

Cost

The cost of carrying out the provisions of title I of this legislation, which provides for establishing a Water Resources Council, is estimated at from \$120,000 to \$150,000 per year.

The cost of the assistance program to the States, provided in title III, would be \$5 million per year for 10 years, assuming that the full amount authorized is appropriated. The cost of administering title III is estimated at \$300,000 to \$400,000 per year for the 10-year period.

The cost of carrying out the provisions of title II, which provides for establishing river basin commissions, is more difficult to estimate. It will depend on many factors, the most important of which are the number of commissions established and the extent to which actual field study and planning is performed by the commissions. With respect to the latter the committee expects actual study by the commissions to be held to a minimum, with the commissions functioning principally as a coordinating group. The number of commissions will depend largely upon need and the desire of the States or regions where a commission might be needed. The number could run from 5 or 6 to as many as 10 or 12. It is expected that the cost will build up gradually until the comprehensive plans for the basins or regions where commissions are established have been completed, estimated around 1971 or 1972, and then be reduced when the need is only for keeping the plans up to date. Certainly the cost should not exceed \$5 or \$6 million per year at the peak, with the maximum number of commissions, and not more than \$2 million after the basin plans have been completed.

Any discussion of the cost of administering this legislation would not be complete without pointing out the possibility of savings in effort and money which would result from coordinated planning. The committee believes substantial savings will accrue to the Federal

Government due to elimination of duplication and waste among the Federal agencies involved in water resources planning.

COMMITTEE AMENDMENTS

The committee adopted several amendments to H.R. 1111, none of which, however, change the purposes and objectives of the bill or the means for carrying them out. For the most part the amendments are minor in nature. The more important are discussed in the following paragraphs.

Language was added to the statement of policy to make it clear that comprehensive and coordinated planning of the Nation's water resources involved all segments of our economy, including not only Federal, State, and local agencies, but also private enterprise and other non-Federal entities.

Section 3 was amended by adding two additional disclaimers—first, that the legislation is not to be construed as changing the authority or the responsibility of any Federal official in the discharge of his duties except with respect to the preparation and review of comprehensive regional or river basin plans and the formulation and evaluation of Federal water and related land resources projects and, second, that the legislation is not to be construed as depriving any court of the United States or of any State of jurisdiction over a matter in controversy affecting water or any water course.

Section 102 requires the Council to maintain a continuing study and to prepare a biennial assessment of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States. An amendment was adopted changing this provision to permit the Council to make an assessment at intervals greater than every 2 years. This will provide flexibility in the frequency of the assessments if the Council determines that biennial assessments are unnecessary.

Section 103 was amended to require the Council to give public notice and hold hearings in connection with the establishment of principles, standards, and procedures for the preparation of comprehensive plans and the formulation and evaluation of water projects.

Section 201(a) was amended so that the establishment of a River Basin Commission in the Columbia River Basin, in addition to the other requirements, would have to be concurred in by three of the four States of Idaho, Montana, Oregon, and Washington. This will protect the interests of States primarily affected.

Section 201(b) was amended to make it clear that nongovernmental plans and proposed developments will be considered in the coordination and planning procedures. Likewise, section 303(1) was amended to provide that State plans be coordinated with plans of nongovernmental entities.

In section 303(2) language was added requiring that State water planning be coordinated with recreation planning under the Land and Water Conservation Fund Act.

Section 401 was amended to place a ceiling upon the amounts authorized to be appropriated for carrying out the provisions of each title; \$150,000 annually is the amount authorized for carrying out the provisions of title I, \$6 million annually for carrying out the provisions of title II, and \$400,000 annually for the administration

of title III. In addition, with respect to title II, not more than \$750,000 annually from Federal appropriations will be available for any single river basin commission. These amounts are based upon estimates discussed hereinbefore, which were developed by the committee staff in consultation with the Bureau of the Budget.

SECTION-BY-SECTION ANALYSIS

SHORT TITLE

Section 1 designates the short title as the "Water Resources Planning Act."

STATEMENT OF POLICY

Section 2 states as broad congressional policy the encouragement of the conservation, development, and utilization of water and related land resources on a comprehensive and coordinated basis with the cooperation of all affected Federal, State, and local agencies, as well as private enterprise and other nongovernmental entities.

EFFECT ON EXISTING LAWS

Section 3 makes it clear that this legislation is not to be construed as expanding or diminishing either Federal or State jurisdiction, responsibility, or rights in the field of water resources development; displacing or limiting any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States or of two or more States and the Federal Government; limiting the authority of Congress to authorize and fund projects; charging the authority or responsibility of any Federal official in the discharge of his duties except with respect to comprehensive water resources planning; superseding existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources or to exercise licensing or regulatory functions in relation thereto; affecting the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, or of the International Boundary and Water Commission, United States and Mexico; or depriving any court of the United States or of any State of jurisdiction over a matter in controversy affecting water.

TITLE I—WATER RESOURCES COUNCIL

Section 101 and the remaining sections of title I establish a Water Resources Council and define its duties and responsibilities. The Council will be composed of the Secretaries of the Interior, Agriculture, Army, Health, Education, and Welfare, and the Chairman of the Federal Power Commission, with the Chairman designated by the President. The heads of other departments and agencies will participate with the Council when matters affecting their responsibilities are up for consideration.

Section 102 requires the Council to maintain a continuing study of the adequacy of supplies of good quality water in each water resource region in the United States and to make recommendations to the President with respect to the adequacy of existing policies and programs to meet such requirements.

Section 103 directs the Council to establish, with the approval of the President and after public notice and hearings, principles, standard and procedures for Federal participants in the preparation of comprehensive river basin plans and for the evaluation of Federal water resources projects.

Section 104 describes the duties of the Council in reviewing the comprehensive plans prepared by the river basin commissions established under title II. Under this broad review authority the Council is to evaluate such plans in terms of the national interest, assess their adequacy to achieve optimum use of water and related resources, appraise their effects on other resources programs, and recommend revision or modification of the plans accordingly. After completing its study of any plan the Council will transmit the plan together with its recommendations thereon to the President for his review and transmittal to the Congress.

Section 105 gives the Council authority to employ personnel, procure consulting services, and hold hearings and receive testimony with or without oath. Subsection (d) authorizes the head of any Federal department or agency, upon the request of the Council, to furnish the Council available necessary information and to detail to temporary duty with the Council on a reimbursable basis such personnel as may be useful to the Council's work.

TITLE II—RIVER BASIN COMMISSIONS

Creation of Commissions

Section 201 and the subsequent sections of title II provide for the establishment by the President of river basin water resources commissions, describe their membership and manner of organization, and set forth their duties, procedures, powers, and administrative authority. As provided in subsection (a) the President may establish a commission upon the request of the Governor of one or more of the affected States or of the Council. Not less than half of the affected States must concur. In addition, a commission involving the Upper Colorado River Basin cannot be established unless there is concurrence by three of the four States of Colorado, New Mexico, Utah, and Wyoming, and a commission for the Columbia Basin must be approved by three of the four States of Idaho, Montana, Oregon, and Washington. The area for study by a commission may consist of a region, a major river basin, or a group of related river basins in the United States.

Subsection (b) places in each commission the responsibilities for (1) coordinating Federal, State, local, and nongovernmental plans for the development of water and related land resources; (2) preparing and keeping up to date a comprehensive, integrated, joint plan for Federal, State, local, and nongovernmental development of these resources; (3) recommending long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and (4) fostering and undertaking studies of water and related land resources problems.

Memberships of Commissions

Section 202 provides that each river basin commission shall be composed of members appointed by the President to include (a) a chairman who shall not hold any other position as an officer or employee of the

United States; (b) a representative of each Federal department or agency having a substantial interest in the work of the commission; (c) a representative from each State lying wholly or partially within the area to be studied, such State representatives to be appointed by the Governor unless otherwise provided by State law; (d) one representative of any affected interstate compact commission; and (e) one member of the U.S. section of any affected international commission.

Organization of Commissions

Section 203 requires each commission to organize within 90 days after its establishment. A commission is terminated by decision of the Council or by agreement of a majority of the States represented. The Chairman will serve as coordinating officer of the Federal members and the State members will elect a vice chairman who will serve as coordinating officer of State members. Vacancies on the commission are to be filled in the same manner as for original appointments. If a consensus is not reached on all issues, full opportunity is to be afforded for presentation of individual views. Decisions with respect to procedural matters will be made by the Chairman.

Duties of the Commissions

Section 204 places upon each river basin commission the duties to (1) make the necessary studies and investigations; (2) submit a report of its activities at least once each year; (3) send to the Water Resources Council a comprehensive, integrated, joint plan for water and related land resources development in the area, such plan first having been submitted for comment to each Federal department or agency, the Governor of each affected State, each interstate commission and the U.S. section of any international commission concerned, each of whom will have 90 days to report its views and recommendations to the commission. The commission may modify the plan in accordance with such comments and recommendations which will be submitted to the Council along with its plan. Also, along with the plan, the commission will submit recommendations for continuing its functions and for implementing the plan.

Powers and Administrative Provisions of the Commissions

Section 205 confers on each commission general administrative authorities, including authority to hold hearings, take testimony with or without oath, employ necessary personnel, and procure consulting services. The chairman of the commission is given authority to administer oaths, to request the head of any Federal department or agency to furnish necessary available information or to detail personnel on temporary duty with the commission on a reimbursable basis, to appoint and supervise personnel employed by the commission, and to administer the funds available to the commission.

Compensation of Commission Members

Section 206 governs the compensation of the members of the commission. The compensation of the chairman will be fixed by the President but will not exceed the maximum scheduled rate for grade GS-18; or if engaged on an intermittent basis, his compensation will be not more than \$100 per day or \$12,000 per annum. Compensation for State members will be provided by the States they represent. Representatives of any Federal department or agency or U.S. section

of an international commission will receive no additional compensation by virtue of their membership on the commission.

Section 207 provides for sharing the expenses of the commission between the Federal Government and the States. Each commission is to recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission's expenses will be otherwise apportioned as the commission may determine. Each commission will prepare a budget annually and transmit it to the Council and the States for use in obtaining appropriations. A commission may accept appropriations, donations, and grants of money, equipment, supplies, materials, and services from any State or the United States or any subdivision or agency thereof, or intergovernmental agency. The commission is required to keep accurate accounts of all receipts and disbursements, which will be audited at least annually; the report of the audit will be included in and become a part of the annual report of the commission. The accounts of the commission are to be open at all reasonable times for inspection by representatives of the jurisdictions and agencies which make appropriations, donations, or grants to the commission.

TITLE III—FINANCIAL ASSISTANCE TO THE STATES FOR COMPREHENSIVE PLANNING

Grant Authorization

Section 301 authorizes annual appropriations of \$5 million for a period of 10 years for grants to States to assist them in developing comprehensive water resources plans and in participating in the work of the river basin commissions.

Allotments

Section 302 directs the Council to make allotments in accordance with its regulations on the basis of (1) population; (2) land area; (3) the need for comprehensive water resources planning programs; and (4) the financial need of the respective States. The moneys allotted will be used for financing up to 50 percent of the cost of the State programs approved by the Council under section 303, including costs of administration and for training personnel.

State Programs

Section 303 sets forth the major criteria for the State planning program, which is subject to the approval of the Council. The program must (1) provide for comprehensive water resources planning to meet the needs for water and water related activities; (2) designate a State agency to administer the program; (3) provide that a State will make appropriate reports; (4) set forth adequate procedure for the State's work; and (5) provide adequate budgeting, accounting, and other efficient administrative procedures.

Review

Section 304 authorizes the Council to suspend payments whenever there is a major departure from an approved program or substantial failure in administration.

Payments

Section 305 provides that payments may be made on such basis as the Council may determine, based on estimates and subject to later adjustment for errors in the original estimates.

Definition

Section 306 defines the term "State" as used in the act to include the District of Columbia, Puerto Rico, and the Virgin Islands.

Records

Section 307 requires each recipient of a grant to keep such records as the Chairman of the Council shall prescribe relative to the use of the funds, including records necessary for an effective audit. Such records are to be accessible to the Chairman of the Council and the Comptroller General of the United States or any of their duly authorized representatives.

TITLE IV—MISCELLANEOUS

Section 401 authorizes necessary appropriations for titles I and II and for the administration of title III. A ceiling is placed on the amount authorized to be appropriated for carrying out the provisions of each title. The annual amount of the grants under title III is authorized separately by section 301.

Section 402 authorizes the Council to make such rules and regulations as it may deem necessary or appropriate for carrying out the provisions of the act. This means rules and regulations necessary for administering the act as passed by the Congress, and is not to be construed as permitting the Council to go beyond the specific provisions of the act on grounds that such procedure is necessary to carry out some purpose stated in this act.

Section 403 authorizes the Council to delegate to any member or employee of the Council its administrative functions under section 105 and for administering the title III grant program.

Section 404 empowers the Council to utilize, on a reimbursable basis, officers and employees of other Federal agencies with the consent of the head of such agency.

COMMITTEE RECOMMENDATION

The Committee on Interior and Insular Affairs recommends enactment of H.R. 1111 as amended.

EXECUTIVE COMMUNICATIONS

Reports of various Federal agencies on H.R. 1111 follow:

EXECUTIVE OFFICE OF THE PRESIDENT,

BUREAU OF THE BUDGET,

Washington, D.C., February 2, 1965.

HON. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in response to your request for our views on H.R. 1111, a bill to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a

Water Resources Council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

For the reasons set out in the statement on this bill which I am presenting to your committee on behalf of the executive branch and subject to consideration of several amendments recommended in that statement, the Bureau of the Budget urges favorable consideration of H.R. 1111, the enactment of which would be in accord with the program of the President.

Sincerely yours,

ELMER B. STAATS,
Deputy Director.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., February 2, 1965.

HON. WAYNE N. ASPINALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives,
Washington, D.C.*

DEAR MR. ASPINALL: This responds to your request for the views of this Department on H.R. 1111, a bill to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a Water Resources Council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

This is the proposed Water Resources Planning Act. We are most pleased to recommend its enactment. Two amendments to the bill are suggested below:

The title of this bill states its objective—that the optimum contribution of America's water and related land resources to the national well-being shall be realized; and outlines the mechanism for accomplishing that objective—coordinated planning by a Federal Water Resources Council and Federal-State River Basin Commissions, with financial support for planning by the States.

Title I of the bill would establish a Cabinet-level Water Resources Council to achieve uniformity in Federal water resource planning activity. The membership of the Council would be the heads of agencies with responsibilities for conservation, development, and use of water and related land resources—namely the Secretaries of the Interior, Army, Agriculture and Health, Education, and Welfare and the Chairman of the Federal Power Commission. The Water Resources Council would also review the comprehensive plans prepared by the river basin commissions and make recommendations respecting those plans to the President for transmittal to the Congress.

Title II of the bill would create a framework for establishing joint Federal-State commissions where needed for planning the comprehensive development of the water and related land resources in a river basin, region, or group of related river basins. These commissions would prepare comprehensive joint plans for the development of the water and related land resources of their area for submission to the Congress through the Water Resources Council and the President.

Title III of the bill would authorize Federal grants to assist the States in carrying out their important water planning responsibilities.

The bill is at variance in two places with S. 1111 of the 88th Congress as it was reported by your committee last year.

The first difference is the new subsection 3(b) providing that "Nothing in this Act shall be construed—to expand, diminish, or change in any particular the authority or responsibility of any Federal or State official or officials, elective or appointive, in the discharge of the duties of his or their office;".

This subsection would seem to be of no effect so far as it concerns State officials, whose powers cannot be changed by Federal law.

So far as it relates to Federal officials it could have an impact on the Water Resources Council. This Council is intended as an agency to establish uniform procedures and guides for Federal water resources planning. It is not intended to take away or realine basic statutory authority or responsibilities. It could not do that. Decisions of the Council are expected to be reached on the basis of unanimity and not by majority rule. These decisions may well involve an agreement among the Department heads on changes in the way they exercise their planning responsibilities. We suggest the deletion of subsection 3(b).

The second difference is found in section 201(a)(3) relating to the creation of river basin commissions. The general rule of the bill is that concurrence of not less than half the States within which a basin is located is required to establish a commission for that basin. The new provision would qualify that general rule by requiring that "in the event the Upper Colorado River Basin is involved * * *" concurrence " * * * by at least three of the four States of Colorado, New Mexico, Utah, and Wyoming," would be needed to establish a commission. This provision would make it harder to establish a commission for the entire Colorado River Basin or any other area that geographically included the Upper Colorado River Basin, and, depending on the interpretation given the word "involved," any area having a hydrologic relationship to the Upper Colorado River Basin. We think the States of the Upper Colorado Basin are adequately safeguarded by other provisions in the bill. There are other safeguards in the bill. Each State is assured of membership on any commission whose jurisdiction includes the upper basin, and the individual State's views on any plan developed by the commission would be included with the plan in all stages of review and before the Congress. States of the upper basin have special concern for their basin, but this is not unique, and we fear that setting up special rules for one basin would be used to justify other exceptions which could impair its uniform nationwide application.

We, therefore, suggest putting a period after "located" in line 23, page 7, and deleting the balance of the sentence.

How best to organize for the coordinated planning for development of the Nation's water and related land resources has been extensively considered in the States, the Congress, and the Federal executive branch for almost 4 years. H.R. 1111 is the product of these deliberations. If amended as suggested above it would be identical to S. 1111 of the 88th Congress as it was reported by the House Committee on Interior and Insular Affairs. This bill is the end product of constructive, cooperative thinking on what pattern of organization will produce the best plans for developing our water and related land

resources in the best interests of the Nation. We in the Department of the Interior are in accord with this thinking, and recommend that the Congress enact the bill.

The Bureau of the Budget has advised that enactment of the bill with the amendments suggested above would be in accord with the president's program.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

DEPARTMENT OF THE ARMY,
March 5, 1965.

HON. WAYNE N. ASPINALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives.*

DEAR MR. CHAIRMAN: Reference is made to your request to the Secretary of Defense for the views of the Department of Defense on H.R. 1111, 89th Congress, a bill to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a Water Resources Council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning. The Department of the Army has been assigned responsibility for expressing the views of the Department of Defense on this bill.

Title I of this bill would establish a Water Resources Council composed of the Secretaries of Agriculture, Army, Interior, and Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Council would be authorized to maintain continuing studies of the adequacy of water supplies necessary to meet the requirements in each resource region in the United States and of the relation of regional or river basin plans to the requirements of larger regions of the Nation. The Council would also establish standards for Federal participants in the preparation of comprehensive regional or river basin plans and for formulation and evaluation of Federal water resources projects.

Title II would authorize the President to establish a River Basin Water and Related Land Resources Commission upon request by the Water Resource Council or by a State within which all or part of the basin or basins concerned are located, provided the Council and not less than one-half the States involved agree. In the event the Upper Colorado River Basin is involved the concurrence of at least three of the four States of Colorado, New Mexico, Utah, and Wyoming would be required. The commission would (1) serve as a coordinating agency for Federal, State, interstate, and local plans for water and related land resource development in its area, river basin or group of basins; (2) prepare a comprehensive joint development plan; (3) recommend priority schedules for collection of data and investigation, planning, and construction of projects; and (4) foster necessary studies. The President would appoint a Chairman. Representatives would be appointed by Federal agencies concerned, and States would appoint their representatives to the Commission. International and interstate commissioners involved would also have representatives.

The Chairman would represent the Federal Government in Federal-State relations on the Commission and the States would be represented by a Vice Chairman elected by the States.

Title III of the bill would authorize financial assistance to the States through grants for comprehensive planning.

The Department of the Army is in full accord with the desirable goal of attaining comprehensive and coordinated water resource development planning, with the cooperation of affected Federal agencies and States. This bill would provide the means by which comprehensive water development plans for the major basis of the United States may be achieved, and through which States may be enabled to participate in the preparation of such plans. The basic purpose of this legislation is also, of course, substantially in accord with the President's statement in his budget message concerning legislation "to authorize river basin planning commissions and grants to States for planning the best use of water resources." Accordingly, this Department supports enactment of H.R. 1111.

The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report for the consideration of the committee.

Sincerely yours,

STEPHEN AILES,
Secretary of the Army.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., February 2, 1965.

HON. WAYNE N. ASPINALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to your letter of January 6, 1965, requesting our views on H.R. 1111, a bill to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a Water Resources Council and river basins commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

Title I of H.R. 1111 provides for the establishment of a Water Resources Council to be composed of the Secretaries of the Interior, Agriculture, Army, and Health, Education, and Welfare and the Chairman of the Federal Power Commission. The President would designate the Chairman of the Council. The Council would maintain a continuing study of the adequacy of the Nation's water supplies and the relation of river basin plans and programs to the requirements of regional and national development and with approval of the President, establish principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects. The Council will review river basin plans and make recommendations in the national interest.

Title II provides for the establishment of river basin commissions and for the conduct of comprehensive planning within the major river basins of the United States.

Title III would authorize Federal grants of a total of \$5 million per year for 10 years to aid States with comprehensive water resources

planning. The States would be required to submit a proposed program and the Federal grant would be limited to not more than 50 percent of the cost of carrying out the program.

The Department of Agriculture endorsed H.R. 1111 as it was passed by the Senate in the 88th Congress, and strongly supports the objectives of this proposed water resources planning legislation. The amendments made by the House committee have been reviewed and, except as noted below, are generally acceptable. Accordingly, this Department recommends enactment of H.R. 1111 with the suggestion that further attention be given the following considerations:

The language of the amendment adding subsection 3(b) appears to unduly restrict the functions of the Water Resources Council. In order to achieve uniformity and coordination in developing a comprehensive program, it may be necessary to allow some leeway for modifying the conduct of participating programs. If the section is to be retained, at least the phrase "in any particular" might well be deleted from lines 20 and 21 of page 2.

We also note a typographical error in line 17 of page 24. This line apparently should read "SEC. 401. There are authorized to be appropriated such", rather than duplicating line 21.

The Bureau of the Budget advises that there is no objection to the presentation of this report and that enactment of the proposed legislation would be in accord with the President's program.

Sincerely yours,

ORVILLE L. FREEMAN, *Secretary.*

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
February 9, 1965.

HON. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: This letter is in response to your request of January 6, 1965, for a report on H.R. 1111, a bill "To provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a Water Resource Council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning."

Title I of the bill would establish a Water Resources Council, composed of the Secretaries of the Interior, the Army, and Health, Education, and Welfare, and the Chairman of the Federal Power Commission, the Chairman of the Council to be designated by the President. The Council would be directed to maintain a continuing study and to prepare a biennial assessment of water resources needs throughout the Nation and to establish, with the approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects, which procedures may include provision for Council revision of plans for Federal projects. The Council would be directed to review a plan or revision received from any river basin commission and, on the basis of such review, to formulate such

recommendations as it deems desirable in the national interest, and to transmit them, with the plan or revision, and the comments of other Federal, State, or interstate officials concerned, to the President for his review and transmittal to Congress with his recommendations respecting the authorization of Federal projects.

The Council, to which each river basin commission would submit its water and related land resources development plan, would be in a position to assess the merits of each plan in relation to the others and to the overall needs of the Nation. The authority which H.R. 1111 would confer on the Council is requisite, in order for it to apply that knowledge, and the experience of the major water resources agencies represented on the Council, to the effective support of the objectives of the proposed Water Resources Planning Act.

Title II of H.R. 1111 would provide for the establishment of joint, Federal-State commissions to plan the comprehensive development of the water and related land resources of areas, river basins, or groups of related river basins in the United States. Among the requirements for the establishment of a commission is the concurrence in writing by the Council and by not less than one-half of the States within which portions of the basin or basins concerned are located. An exception to this general provision is the requirement, that if the Upper Colorado River Basin is involved, at least three of the four States of Colorado, New Mexico, Utah, and Wyoming shall give their concurrences. This Department's primary concern in the field of water resources development is the assurance of sufficient supplies of water of adequate quality for all legitimate purposes. We are unaware of any need for the bill's departure, with respect to the Upper Colorado Basin, from the otherwise uniform rule established by the bill with respect to the establishment of commissions. The bill is based on the principle of cooperation between interested States and between them and the Federal Government and, we believe, would adequately protect the interests of all the States without special provisions for particular river basins.

We fully agree with the statement of policy set forth in section 2 of the bill to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis, with the cooperation of all levels of government and others concerned, in order to meet the rapidly expanding demands for water throughout the Nation. In discharging our responsibilities for the preparation and development of comprehensive programs for water pollution control, this Department has a major concern with the formulation of appropriate and desirable patterns of coordination in water resources planning. H.R. 1111 provides, in our view, a vehicle for this purpose.

We would, therefore, favor the enactment of H.R. 1111, modified to provide a uniform rule for the establishment of river basin commissions.

We are advised by the Bureau of the Budget that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely,

WILBUR J. COHEN,
Assistant Secretary.

FEDERAL POWER COMMISSION,
Washington, February 15, 1965.

Re H.R. 1111, 89th Congress, Water Resources Planning Act.

HON. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In response to your request of January 6, 1965, there are enclosed copies of the report of the Federal Power Commission on the subject bill.

It is contemplated that this report may be released by the Commission to the public within 3 working days from the date of this letter unless there is a request that its release be withheld.

Sincerely,

DAVID S. BLACK, *Acting Chairman.*

REPORT ON H.R. 1111, 89TH CONGRESS

A BILL To provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning

The proposed legislation, which would be known as the Water Resources Planning Act, declares the policy of Congress to encourage the conservation, development, and utilization of water and related land resources on a comprehensive and coordinated basis with the cooperation of Federal, State, and local governments and others concerned. To implement this policy the bill would create a Water Resources Council composed of the Secretaries of the Interior, Agriculture, the Army, and Health, Education, and Welfare, and the Chairman of the Federal Power Commission as regular members. The Council would be an interagency coordinating group charged with broad responsibilities for formulating, evaluating, and coordinating water resources plans on a national basis. The bill would also provide for the setting up of intergovernmental river basin commissions, composed of representatives of interested State and Federal agencies. These commissions would be responsible for preparing and coordinating regional or area plans. Appropriations of \$5 million annually for 10 years would be authorized to assist the States in water and related land resources planning.

The desirability of establishing formally an effective coordinating entity in the field of water resources planning and development has been generally recognized in recent years.¹ This need has been particularly evident with respect to coordination of Federal and non-Federal development. Establishment of the proposed machinery to facilitate participation by State and local interests should lead to fuller understanding and more effective cooperation between the United States and State and local interests concerned with the development of water and related land resources.

¹ See the Jan. 17, 1956, report of the Presidential Advisory Committee on Water Resources Policy (H. Doc. No. 315, 84th Cong., 2d sess.), the June 1955 report on water resources and power submitted by the Commission on Organization of the Executive Branch of the Government (known as the second Hoover Commission), the June 1955 report and accompanying studies on natural resources and conservation submitted by the Commission on Intergovernmental Relations, and the Jan. 30, 1961, report (S. Rept. 29, 87th Cong., 1st sess.), submitted by the Select Committee on National Water Resources set up pursuant to S. Res. 48 of the 86th Cong.

H.R. 1111 would make it possible for the Federal Power Commission, by means of the membership of its Chairman on the proposed Water Resources Council, to bring to bear its long experience in comprehensive planning of water resources projects derived from administration of the Federal Power Act and from participation in planning Federal river development projects under various other acts.

Under the broad provisions of the Federal Power Act the Commission, in addition to licensing non-Federal hydroelectric developments, has over the years studied power possibilities on streams throughout the United States and has accumulated and keeps current a large volume of data on all segments of the power industry, publicly and privately owned, its capacity, operations, requirements, loads, locations, and interconnections. As part of the national power survey, recently published by the Commission, a survey of the Nation's hydropower potential was undertaken which emphasized the need for long-range comprehensive plans to harmonize the requirements of all water uses. In connection with other statutory responsibilities, the Commission cooperates with Federal constructing agencies in developing plans for the comprehensive development of river basins; and since 1943 the Commission has been a full member of the Federal Interagency Committee on Water Resources (and its predecessor committee) established to coordinate the planning and development of river basin projects.

Section 3 of the bill preserves the Commission's licensing and related statutory functions. Section 103 assigns to the Water Resources Council the vitally important function of establishing guiding principles, standards, and procedures for Federal projects. With regular membership on the Water Resources Council provided in section 101, the Commission will be able to continue to fulfill its statutory functions effectively and at the same time contribute to the work of the Council.

H.R. 1111 is substantially similar to S. 1111, 88th Congress, which was passed by the Senate on December 4, 1963, and on which we favorably reported to your committee on March 23, 1964 (H. Rept. 1877, 88th Cong.). We continue to support this bill and recommend its early enactment.

DAVID S. BLACK,
Chairman.



STATEMENT OF POLICY

1
2 SEC. 2. In order to meet the rapidly expanding demands
3 for water throughout the Nation, it is hereby declared to
4 be the policy of the Congress to encourage the conservation,
5 development, and utilization of water and related land re-
6 sources of the United States on a comprehensive and co-
7 ordinated basis with the cooperation of all affected Federal
8 agencies, States, local governments, and others concerned.

9 *SEC. 2. In order to meet the rapidly expanding demands*
10 *for water throughout the Nation, it is hereby declared to be*
11 *the policy of the Congress to encourage the conservation, de-*
12 *velopment, and utilization of water and related land re-*
13 *sources of the United States on a comprehensive and co-*
14 *ordinated basis by the Federal Government, States, localities,*
15 *and private enterprise with the cooperation of all affected*
16 *Federal agencies, States, local governments, individuals, cor-*
17 *porations, business enterprises, and others concerned.*

EFFECT ON EXISTING LAWS

18
19 SEC. 3. Nothing in this Act shall be construed—

20 (a) to expand or diminish either Federal or State
21 jurisdiction, responsibility, or rights in the field of
22 water resources planning, development, or control; nor
23 to displace, supersede, or limit any interstate compact
24 or the jurisdiction or responsibility of any legally estab-
25 lished joint or common agency of two or more States,

1 or of two or more States and the Federal Government;
2 nor to limit the authority of Congress to authorize and
3 fund projects;

4 ~~(b) to expand, diminish, or change in any par-~~
5 ~~ticular the authority or responsibility of any Federal or~~
6 ~~State official or officials, elective or appointive, in the~~
7 ~~discharge of the duties of his or their office;~~

8 *(b) to change or otherwise affect the authority or*
9 *responsibility of any Federal official in the discharge of*
10 *the duties of his office except as required to carry out the*
11 *provisions of this Act with respect to the preparation*
12 *and review of comprehensive regional or river basin*
13 *plans and the formulation and evaluation of Federal*
14 *water and related land resources projects;*

15 (c) as superseding, modifying, or repealing exist-
16 ing laws applicable to the various Federal agencies
17 which are authorized to develop or participate in the
18 development of water and related land resources, or to
19 exercise licensing or regulatory functions in relation
20 thereto; nor to affect the jurisdiction, powers, or pre-
21 rogatives of the International Joint Commission, United
22 States and Canada, or of the International Boundary
23 and Water Commission, United States and Mexico;
24 *Mexico;*

25 *(d) to deprive any court of the United States or of*

1 *any State of jurisdiction over a matter in controversy*
2 *affecting water or any water course.*

3 TITLE I—WATER RESOURCES COUNCIL

4 SEC. 101. There is hereby established a Water Resources
5 Council (hereinafter referred to as the “Council”) which
6 shall be composed of the Secretary of the Interior, the
7 Secretary of Agriculture, the Secretary of the Army, the
8 Secretary of Health, Education, and Welfare, and the
9 Chairman of the Federal Power Commission. The Chair-
10 man of the Council shall request the heads of other *Federal*
11 agencies to participate with the Council when matters affect-
12 ing their responsibilities are considered by the Council. The
13 Chairman of the Council shall be designated by the President.

14 SEC. 102. The Council shall—

15 ~~(a) maintain a continuing study and prepare a~~
16 ~~biennial assessment of the adequacy of supplies of water~~
17 ~~necessary to meet the water requirements in each water~~
18 ~~resource region in the United States and the national~~
19 ~~interest therein; and~~

20 *(a) maintain a continuing study and prepare an*
21 *assessment biennially, or at such less frequent intervals*
22 *as the Council may determine, of the adequacy of supplies*
23 *of water necessary to meet the water requirements in each*
24 *water resource region in the United States and the na-*
25 *tional interest therein; and*

(b) maintain a continuing study of the relation of regional or river basin plans and programs to the requirements of larger regions of the Nation, and of the adequacy of administrative and statutory means for the coordination of the water and related land resources policies and programs of the several Federal agencies; it shall appraise the adequacy of existing and proposed policies and programs to meet such requirements; and it shall make recommendations to the President with respect to Federal policies and programs.

SEC. 103. The Council shall establish, *after public notice and hearing, and* with the approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects. Such procedures may include provision for Council revision of plans for Federal projects intended to be proposed in any plan or revision thereof being prepared by a river basin planning commission.

SEC. 104. Upon receipt of a plan or revision thereof from any river basin commission under the provisions of section ~~204(a)-(3)~~ 204(3) of this Act, the Council shall review the plan or revision with special regard to—

(1) the efficacy of such plan or revision in achiev-

1 ing optimum use of the water and related land resources
2 in the area involved;

3 (2) the effect of the plan on the achievement of
4 other programs for the development of agricultural,
5 urban, energy, industrial, recreational, fish and wildlife,
6 and other resources of the entire Nation; and

7 (3) the contributions which such plan or revision
8 will make in obtaining the Nation's economic and social
9 goals.

10 Based on such review the Council shall—

11 (a) formulate such recommendations as it deems
12 desirable in the national interest; and

13 (b) transmit its recommendations, together with
14 the plan or revision of the river basin commission, and
15 the views, comments, and recommendations with respect
16 to such plan or revision submitted by any Federal
17 agency, Governor, interstate commission, or United
18 States section of an international commission, to the
19 President for his review and transmittal to the Congress
20 with his recommendations in regard to authorization of
21 Federal projects.

22 SEC. 105. (a) For the purpose of carrying out the pro-
23 visions of this Act, the Council may: (1) hold such hearings,
24 sit and act at such times and places, take such testimony,
25 receive such evidence, and print or otherwise reproduce and

1 distribute so much of its proceedings and reports thereon as
2 it may deem advisable; (2) acquire, furnish, and equip such
3 office space as is necessary; (3) use the United States mails
4 in the same manner and upon the same conditions as other
5 departments and agencies of the United States; (4) em-
6 ploy and fix the compensation of such personnel as it deems
7 advisable, in accordance with the civil service laws and
8 Classification Act of 1949, as amended; (5) procure services
9 as authorized by section 15 of the Act of August 2, 1946 (5
10 U.S.C. 55a), at rates not to exceed \$100 per diem for
11 individuals; (6) purchase, hire, operate, and maintain pas-
12 senger motor vehicles; and (7) incur such necessary ex-
13 penses and exercise such other powers as are consistent with
14 and reasonably required to perform its functions under this
15 Act.

16 (b) Any member of the Council is authorized to ad-
17 minister oaths when it is determined by a majority of the
18 Council that testimony shall be taken or evidence received
19 under oath.

20 (c) To the extent permitted by law, all appropriate
21 records and papers of the Council may be made available for
22 public inspection during ordinary office hours.

23 (d) Upon request of the Council, the head of any
24 Federal department or agency is authorized (1) to furnish
25 to the Council such information as may be necessary for

1 carrying out its functions and as may be available to or pro-
 2 curable by such department or agency, and (2) to detail
 3 to temporary duty with such Council on a reimbursable basis
 4 such personnel within his administrative jurisdiction as it
 5 may need or believe to be useful for carrying out its func-
 6 tions, each such detail to be without loss of seniority, pay, or
 7 other employee status.

8 (e) The Council shall be responsible for (1) the ap-
 9 pointment and supervision of personnel, (2) the assignment
 10 of duties and responsibilities among such personnel, and
 11 (3) the use and expenditure of funds.

12 TITLE II—RIVER BASIN COMMISSIONS

13 CREATION OF COMMISSIONS

14 ~~SEC. 201. (e)~~ *SEC. 201. (a)* The President is authorized
 15 to declare the establishment of a river basin water and related
 16 land resources commission upon request therefor by the
 17 Council, or request addressed to the Council by a State within
 18 which all or part of the basin or basins concerned are located
 19 if the request by the Council or by a State (1) defines the
 20 area, river basin, or group of related river basins for which
 21 a commission is requested (2) is made in writing by the
 22 Governor or in such manner as State law may provide, or
 23 by the Council, and (3) is concurred in by the Council
 24 and by not less than one-half of the States within which
 25 portions of the basin or basins concerned are located, ~~or, in~~

1 the event the Upper Colorado River Basin is involved, by at
 2 least three of the four States of Colorado, New Mexico,
 3 Utah, and Wyoming; and, in the event the Upper Colorado
 4 River Basin is involved, by at least three of the four States of
 5 Colorado, New Mexico, Utah, and Wyoming or, in the event
 6 the Columbia River Basin is involved, by at least three of the
 7 four States of Idaho, Montana, Oregon, and Washington.
 8 Such concurrences shall be in writing.

9 (b) Each such commission for an area, river basin, or
 10 group of river basins shall, to the extent consistent with
 11 section 3 of this Act—

12 (1) serve as the principal agency for the coordina-
 13 tion of Federal, State, interstate, and ~~local~~ *local and non-*
 14 *governmental* plans for the development of water and
 15 related land resources in its area, river basin, or group of
 16 river basins;

17 (2) prepare and keep up to date, to the extent prac-
 18 ticable, a comprehensive, coordinated, joint plan for
 19 Federal, State, interstate, and ~~local~~ *local and non-*
 20 *governmental* development of water and related re-
 21 sources: *Provided*, That the plan shall include an
 22 evaluation of all reasonable alternative means of achiev-
 23 ing optimum development of water and related land
 24 resources of the basin or basins, and it may be prepared

1 in stages, including recommendations with respect to
2 individual projects;

3 (3) recommend long-range schedules of priorities
4 for the collection and analysis of basic data and for in-
5 vestigation, planning, and construction of projects; and

6 (4) foster and undertake such studies of water and
7 related land resources problems in its area, river basin, or
8 group of river basins as are necessary in the prepara-
9 tion of the plan described in clause (2) of this sub-
10 section.

11 MEMBERSHIP OF COMMISSIONS

12 SEC. 202. Each river basin commission shall be com-
13 posed of members appointed as follows:

14 (a) A chairman appointed by the President who shall
15 also serve as chairman and coordinating officer of the Fed-
16 eral members of the commission and who shall represent
17 the Federal Government in Federal-State relations on the
18 commission and who shall not, during the period of his
19 service on the commission, hold any other position as an
20 officer or employee of the United States, except as a retired
21 officer or retired civilian employee of the Federal Govern-
22 ment;

23 (b) One member from each Federal department or in-
24 dependent agency determined by the President to have a sub-
25 stantial interest in the work to be undertaken by the com-

1 mission, such member to be appointed by the head of such
2 department or independent agency and to serve as the repre-
3 sentative of such department or independent agency;

4 (c) One member from each State which lies wholly or
5 partially within the area, river basin, or group of river basins
6 for which the commission is established, and the appointment
7 of each such member shall be made in accordance with the
8 laws of the State which he represents. In the absence of
9 governing provisions of State law, such State members shall
10 be appointed and serve at the pleasure of the Governor;

11 (d) One member appointed by any interstate agency
12 created by an interstate compact to which the consent of
13 Congress has been given, and whose jurisdiction extends to
14 the waters of the area, river basin, or group of river basins for
15 which the river basin commission is created;

16 (e) When deemed appropriate by the President, one
17 member, who shall be appointed by the President, from the
18 United States section of any international commission created
19 by a treaty to which the consent of the Senate has been
20 given, and whose jurisdiction extends to the waters of the
21 area, river basin, or group of river basins for which the river
22 basin commission is established.

23 ORGANIZATION OF COMMISSIONS

24 SEC. 203. (a) Each river basin commission shall orga-
25 nize for the performance of its functions within ninety days

1 after the President shall have declared the establishment of
2 such commission, subject to the availability of funds for carry-
3 ing on its work. A commission shall terminate upon agree-
4 ~~ment~~ *decision* of the Council or agreement of a majority of
5 the States composing the commission. Upon such termina-
6 tion, all property, assets, and records of the commission shall
7 thereafter be turned over to such agencies of the United
8 States and the participating States as shall be appropriate
9 in the circumstances: *Provided*, That studies, data, and other
10 materials useful in water and related land ~~resource~~ *resources*
11 planning to any of the participants shall be kept freely
12 available to all such participants.

13 (b) State members of each commission shall elect a vice
14 chairman, who shall serve also as chairman and coordinating
15 officer of the State members of the commission and who
16 shall represent the State governments in Federal-State rela-
17 tions on the commission.

18 (c) Vacancies in a commission shall not affect its powers
19 but shall be filled in the same manner in which the original
20 appointments were made: *Provided*, That the chairman and
21 vice chairman may designate alternates to act for them
22 during temporary absences.

23 (d) In the work of the commission every reasonable
24 endeavor shall be made to arrive at a consensus of all
25 members on all issues; but failing this, full opportunity

1 shall be afforded each member for the presentation and
2 report of individual views: *Provided*, That at any time the
3 commission fails to act by reason of absence of consensus, the
4 position of the chairman, acting in behalf of the Federal
5 members, and the vice chairman, acting upon instructions of
6 the State members, shall be set forth in the record: *Provided*
7 *further*, That the chairman, in consultation with the vice
8 chairman, shall have the final authority, in the absence of
9 an applicable bylaw adopted by the commission or in the
10 absence of a consensus, to fix the times and places for meet-
11 ings, to set deadlines for the submission of annual and other
12 reports, to establish subcommittees, and to decide such other
13 procedural questions as may be necessary for the commission
14 to perform its functions.

15 DUTIES OF THE COMMISSIONS

16 SEC. 204. Each river basin commission shall—

17 (1) engage in such activities and make such studies
18 and investigations as are necessary and desirable in
19 carrying out the policy set forth in section 2 of this Act
20 and in accomplishing the purposes set forth in section
21 201 (b) of this Act;

22 (2) submit to the Council and the Governor of each
23 participating State a report on its work at least once
24 each year. Such report shall be transmitted through

1 the President to the Congress. After such transmission,
2 copies of any such report shall be sent to the heads of
3 such Federal, State, interstate, and international agencies
4 as the President or the Governors of the participating
5 States may direct;

6 (3) submit to the Council for transmission to the
7 President and by him to the Congress, and the
8 Governors and the legislatures of the participating
9 States a comprehensive, coordinated, joint plan, or any
10 major portion thereof or necessary revisions thereof,
11 for water and related land resources development in the
12 area, river basin, or group of river basins for which such
13 commission was established. Before the commission
14 submits such a plan or major portion thereof or revision
15 thereof to the Council, it shall transmit the proposed
16 plan or revision to the head of each Federal department
17 or agency, the Governor of each State, and each inter-
18 state agency, from which a member of the commission
19 has been appointed, and to the head of the United
20 States section of any international commission if the
21 plan, portion, or revision deals with a boundary water or
22 a river crossing a boundary, or any tributary flowing
23 into such boundary water or river, over which the inter-
24 national commission has jurisdiction or for which it
25 has responsibility. Each such department and agency

1 head, Governor, interstate agency, and United States
2 section of an international commission shall have ninety
3 days from the date of the receipt of the proposed plan,
4 portion, or revision to report its views, comments, and
5 recommendations to the commission. The commission
6 may modify the plan, portion, or revision after consid-
7 ering the reports so submitted. The views, comments,
8 and recommendations submitted by each Federal de-
9 partment or agency head, Governor, interstate agency,
10 and United States section of an international commis-
11 sion shall be transmitted to the Council with the plan,
12 portion, or revision; and

13 (4) submit to the Council at the time of submit-
14 ting such plan, any recommendations it may have for
15 continuing the functions of the commission and for im-
16 plementing the plan, including means of keeping the
17 plan up to date.

18 POWERS AND ADMINISTRATIVE PROVISIONS OF THE
19 COMMISSIONS

20 SEC. 205. (a) For the purpose of carrying out the pro-
21 visions of this title, each river basin commission may—

22 (1) hold such hearings, sit and act at such times
23 and places, take such testimony, receive such evidence,
24 and print or otherwise reproduce and distribute so much

1 of its proceedings and reports thereon as it may deem
2 advisable;

3 (2) acquire, furnish, and equip such office space as
4 is necessary;

5 (3) use the United States mails in the same man-
6 ner and upon the same conditions as departments and
7 agencies of the United States;

8 (4) employ and compensate such personnel as it
9 deems advisable, including consultants, at rates not to
10 exceed \$100 per diem;

11 (5) arrange for the services of personnel from any
12 State or the United States, or any subdivision or agency
13 thereof, or any intergovernmental agency;

14 (6) make arrangements, including contracts, with
15 any participating government, except the United States
16 or the District of Columbia, for inclusion in a suitable
17 retirement and employee benefit system of such of its
18 personnel as may not be eligible for or continuing in
19 another governmental retirement or employee benefit
20 system, or otherwise provide for such coverage of its
21 personnel;

22 (7) purchase, hire, operate, and maintain passen-
23 ger motor vehicles; and

24 (8) incur such necessary expenses and exercise

1 such other powers as are consistent with and reasonably
2 required to perform its functions under this Act.

3 (b) The chairman of a river basin commission, or any
4 member of such commission designated by the chairman
5 thereof for the purpose, is authorized to administer oaths
6 when it is determined by a majority of the commission that
7 testimony shall be taken or evidence received under oath.

8 (c) To the extent permitted by law, all appropriate
9 records and papers of each river basin commission shall be
10 made available for public inspection during ordinary office
11 hours.

12 (d) Upon request of the chairman of any river basin
13 commission, or any member or employee of such commission
14 designated by the chairman thereof for the purpose, the head
15 of any Federal department or agency is authorized (1) to
16 furnish to such commission such information as may be nec-
17 essary for carrying out its functions and as may be available
18 to or procurable by such department or agency, and (2) to
19 detail to temporary duty with such commission on a reim-
20 bursable basis such personnel within his administrative juris-
21 diction as it may need or believe to be useful for carrying out
22 its functions, each such detail to be without loss of seniority,
23 pay, or other employee status.

24 (e) The chairman of each river basin commission shall,

1 in accordance with the general policies of such commission
2 with respect to the work to be accomplished by it and the
3 timing thereof, be responsible for (1) the appointment and
4 supervision of personnel employed by such commission, (2)
5 the assignment of duties and responsibilities among such per-
6 sonnel, and (3) the use and expenditures of funds available
7 to such commission.

8 COMPENSATION OF COMMISSION MEMBERS

9 SEC. 206. (a) Any member of a river basin commis-
10 sion appointed pursuant to section 202 (b) and (e) of this
11 Act, shall receive no additional compensation by virtue of
12 his membership on the commission, but shall continue to
13 receive, from appropriations made for the agency from which
14 he is appointed, the salary of his regular position when en-
15 gaged in the performance of the duties vested in the com-
16 mission.

17 (b) Members of a commission, appointed pursuant to
18 section 202 (c) and (d) of this Act, shall each receive such
19 compensation as may be provided by the States or the inter-
20 state agency respectively, which they represent.

21 (c) The per annum compensation of the chairman of
22 each river basin commission shall be determined by the
23 President, but when employed on a full-time annual basis
24 shall not exceed the maximum scheduled rate for grade
25 GS-18 of the Classification Act of 1949, as amended; or

1 when engaged in the performance of the commission's duties
2 on an intermittent basis such compensation shall be not more
3 than \$100 per day and shall not exceed \$12,000 in any year.

4 SEC. 207. (a) Each commission shall recommend what
5 share of its expenses shall be borne by the Federal Govern-
6 ment, but such share shall be subject to approval by the
7 Council. The remainder of the commission's expenses shall
8 be otherwise apportioned as the commission may determine.
9 Each commission shall prepare a budget annually and trans-
10 mit it to the Council and the States. Estimates of proposed
11 appropriations from the Federal Government shall be in-
12 cluded in the budget estimates submitted by the Council
13 under the Budgeting and Accounting Act of 1921, as
14 amended, and may include an amount for advance to a
15 commission against State appropriations for which delay is
16 anticipated by reason of later legislative sessions. All sums
17 appropriated to or otherwise received by a commission shall
18 be credited to the commission's account in the Treasury of
19 the United States.

20 (b) A commission may accept for any of its purposes
21 and functions, appropriations, donations, and grants of money,
22 equipment, supplies, materials, and services from any State
23 or the United States or any subdivision or agency thereof, or
24 intergovernmental agency, and may receive, utilize, and dis-
25 pose of the same.

1 (c) The commission shall keep accurate accounts of all
2 receipts and disbursements. The accounts shall be audited at
3 least annually in accordance with generally accepted auditing
4 standards by independent certified or licensed public account-
5 ants, certified or licensed by a regulatory authority of a State
6 State, and the report of the audit shall be included in and
7 become a part of the annual report of the commission.

8 (d) The accounts of the commission shall be open at all
9 reasonable times for inspection by representatives of the juris-
10 dictions and agencies which make appropriations, donations,
11 or grants to the commission.

12 TITLE III—FINANCIAL ASSISTANCE TO THE
13 STATES FOR COMPREHENSIVE PLANNING
14 GRANT AUTHORIZATIONS

15 SEC. 301. (a) In recognition of the need for increased
16 participation by the States in water and related land re-
17 sources planning to be effective, there are hereby authorized
18 to be appropriated to the Council for the next fiscal year
19 beginning after the date of enactment of this Act, and for the
20 nine succeeding fiscal years thereafter, \$5,000,000 in each
21 such year for grants to States to assist them in developing and
22 participating in the development of comprehensive water-
23 and related land resources plans.

24 (b) The Council with the approval of the President,
25 shall prescribe such rules, establish such procedures, and

1 make such arrangements and provisions relating to the per-
2 formance of its functions under this title, and the use of
3 funds available therefor, as may be necessary in order to
4 assure (1) coordination of the program authorized by this
5 title with related Federal planning assistance programs, in-
6 cluding the program authorized under section 701 of the
7 Housing Act of 1954 and (2) appropriate utilization of
8 other Federal agencies administering programs which may
9 contribute to achieving the purpose of this Act.

10 ALLOTMENTS

11 SEC. 302. (a) From the sums appropriated pursuant to
12 section 301 for any fiscal year the Council shall from time
13 to time make allotments to the States, in accordance with
14 its regulations on the basis of (1) the population, (2) the
15 land area, (3) the need for comprehensive water and re-
16 lated land resources planning programs, and (4) the finan-
17 cial need of the respective States. For the purposes of this
18 section the population of the States shall be determined
19 on the basis of the latest estimates available from the De-
20 partment of Commerce and the land area of the States shall
21 be determined on the basis of the official records of the
22 United States Geological Survey.

23 (b) From each State's allotment under this section for
24 any fiscal year the Council shall pay to such State an amount
25 which is not more than 50 per centum of the cost of carrying

1 out its State program approved under section 303, including
2 the cost of training personnel for carrying out such program
3 and the cost of administering such program.

4 STATE PROGRAMS

5 SEC. 303. The Council shall approve any program for
6 comprehensive water and related land resources planning
7 which is submitted by a State, if such program—

8 (1) provides for comprehensive planning with re-
9 spect to intrastate or interstate water resources, or both,
10 in such State to meet the needs for water and water
11 related activities taking into account prospective de-
12 mands for all purposes served through or affected by
13 water and related land resources development, with
14 adequate provision for coordination with all Federal,
15 State, and local agencies, *and nongovernmental entities*
16 having responsibilities in affected fields;

17 (2) provides, where comprehensive statewide de-
18 velopment planning is being carried on with or without
19 assistance under section 701 of the Housing Act of
20 1954, *or under the Land and Water Conservation Fund*
21 *Act of 1965*, for full coordination between comprehen-
22 sive water resources planning and other statewide plan-
23 ning programs and for assurances that such water re-
24 sources planning will be in conformity with the general
25 development policy in such State;

(3) designates a State agency (hereinafter referred to as the "State agency") to administer the program;

(4) provides that the State agency will make such reports in such form and containing such information as the Council from time to time reasonably requires to carry out its functions under this title;

(5) sets forth the procedure to be followed in carrying out the State program and in administering such program; and

(6) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for keeping appropriate accountability of the funds and for the proper and efficient administration of the program.

The Council shall not disapprove any program without first giving reasonable notice and opportunity for hearing to the State agency administering such program.

REVIEW

SEC. 304. Whenever the Council after reasonable notice and opportunity for hearing to a State agency finds that—

(a) the program submitted by such State and approved under section 303 has been so changed that it no longer complies with a requirement of such section; or

(b) in the administration of the program there is a failure to comply substantially with such a requirement, the Council shall notify such agency that no further pay-

1 ments will be made to the State under this title until it is
2 satisfied that there will no longer be any such failure. Until
3 the Council is so satisfied, it shall make no further payments
4 to such State under this title.

5 PAYMENTS

6 SEC. 305. The method of computing and paying
7 amounts pursuant to this title shall be as follows:

8 (1) The Council shall, prior to the beginning of
9 each calendar quarter or other period prescribed by it,
10 estimate the amount to be paid to each State under the
11 provisions of this title for such period, such estimate to
12 be based on such records of the State and information
13 furnished by it, and such other investigation, as the
14 Council may find necessary.

15 (2) The Council shall pay to the State, from the
16 allotment available therefor, the amount so estimated by
17 it for any period, reduced or increased, as the case may
18 be, by any sum (not previously adjusted under this para-
19 graph) by which it finds that its estimate of the amount
20 to be paid such State for any prior period under this
21 title was greater or less than the amount which should
22 have been paid to such State for such prior period under
23 this title. Such payments shall be made through the dis-
24 bursing facilities of the Treasury Department, at such

1 times and in such installments as the Council may
2 determine.

3 **DEFINITION**

4 **SEC. 306.** For the purpose of this title the term "State"
5 means a State, the District of Columbia, Puerto Rico, or the
6 Virgin Islands.

7 **RECORDS**

8 **SEC. 307. (a)** Each recipient of a grant under this Act
9 shall keep such records as the Chairman of the Council shall
10 prescribe, including records which fully disclose the amount
11 and disposition of the funds received under the grant, and the
12 total cost of the project or undertaking in connection with
13 which the grant was made and the amount and nature of
14 that portion of the cost of the project or undertaking sup-
15 plied by other sources, and such other records as will facilitate
16 an effective audit.

17 **(b)** The Chairman of the Council and the Comptroller
18 General of the United States, or any of their duly authorized
19 representatives, shall have access for the purpose of audit and
20 examination to any books, documents, papers, and records
21 of the recipient of the grant that are pertinent to the deter-
22 mination that funds granted are used in accordance with this
23 Act.

1 TITLE IV—MISCELLANEOUS

2 AUTHORIZATION OF APPROPRIATIONS

3 SEC. 402. The Council is authorized to make such rules
4 sums as may be necessary to carry out the provisions of
5 titles I and II and the administration of title III.

6 SEC. 401. *There are authorized to be appropriated not*
7 *to exceed \$150,000 annually to carry out the provisions of*
8 *title I of this Act, \$6,000,000 annually to carry out the pro-*
9 *visions of title II, and \$400,000 annually for the adminis-*
10 *tration of title III: Provided, That, with respect to title II,*
11 *not more than \$750,000 annually shall be available for any*
12 *single river basin commission.*

13 RULES AND REGULATIONS

14 SEC. 402. The Council is authorized to make such rules
15 and regulations as it may deem necessary or appropriate for
16 carrying out those provisions of this Act which are admin-
17 istered by it.

18 DELEGATION OF FUNCTIONS

19 SEC. 403. The Council is authorized to delegate to any
20 member or employee of the Council its administrative func-
21 tions under section 105 and the detailed administration of
22 the grant program under title III.

23 UTILIZATION OF PERSONNEL

24 SEC. 404. The Council may, with the consent of the
25 head of any other department or agency of the United

1 States, utilize such officers and employees of such agency
2 on a reimbursable basis as are necessary to carry out the
3 provisions of this Act.

89TH CONGRESS
1st Session

H. R. 1111

[Report No. 169]

A BILL

To provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

By Mr. ASPINALL

JANUARY 4, 1965

Referred to the Committee on Interior and Insular
Affairs

MARCH 15, 1965

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

March 25, 1965

29. YOUTH CORPS. Rep. Cabell protested action of the Labor Dept. in "setting a minimum wage of \$1.25 per hour for educational trainees in the Youth Corps," pp. 5836-7
30. MAPLE SYRUP. Rep. Todd commended the results of a research program to improve the quality and reduce the cost of producing maple syrup and urged continuance of this program. p. 5837
31. HOUSING. Rep. Widnall spoke in favor of his housing and urban renewal bill and inserted a "Section-by-Section Analysis of the Housing and Redevelopment Act of 1965." pp. 5848-53
Rep. Patman spoke in favor of his housing and urban renewal bill, inserted his remarks before the Housing Subcommittee hearing and stated that "it is also our obligation to make certain that there is an adequate money supply available at reasonable interest rates to take advantage of any new dynamic program." pp. 5859-61
32. FARM PROGRAM. Rep. Hansen commended and inserted the results of a survey conducted to spotlight and emphasize the problems of the rural economy and recommend necessary measures to legislative groups. p. 5883-4
33. FISHERIES. Received an Alaska Legislature memorial "requesting full appropriation support for the commercial Fisheries Research and Development Act of 1964." p. 5889
34. FOOD MARKETING. The Agriculture Committee voted to report (but did not actually report) H. R. 5702, to extend for one year the date on which the National Commission on Food Marketing shall make a final report to the President and to the Congress and to provide necessary authorization of appropriations for such Commission. pp. D228-9
35. WATER RESOURCES. The "Daily Digest" states that the Rules Committee "Granted an open rule, with 1 hour of debate, on H. R. 1111, regarding the Water Resources Planning Act." p. D230
36. MANPOWER. The "Daily Digest" states that the Rules Committee "Granted an open rule, with 2 hours of debate, on H. R. 4257, regarding the Manpower Act of 1965." p. D230
37. EDUCATION. Continued debate on H. R. 2362, the proposed Elementary and Secondary Education Act of 1965. pp. 5771-5835, 5837
38. BALANCE OF PAYMENTS. Rep. Curtis stated that he believed "market-determined interest rates in the United States would help to keep funds at home, and, perhaps, even draw foreign funds into our country. This would mean a significant improvement in our balance of payments." pp. 5853-4

ITEMS IN APPENDIX

39. FARM LABOR. Extension of remarks of Rep. Todd criticizing the farm labor policies of the Labor Department and stating that "Michigan pickle growers are still in a pickle." p. A1396

40. GRANTS-IN-AID. Extension of remarks of Sen. Mundt stating that "I have been much concerned about Federal-State relations, and particularly with regard to Federal controls over the States which have accompanied Federal grant-in-aid programs", and inserting an address on this subject. pp. A1396-8
41. FOREIGN TRADE. Sen. Inouye inserted an article as an example of how the citizens of Hawaii are meeting the economic needs with respect to the balance of payments problem. pp. A1402-3
42. RECREATION; RECLAMATION. Extension of remarks of Rep. Aspinall defending Interior Dept. against criticism that they are the spoilers of natural resources when creating certain recreational areas. pp. A1403-4
43. WHEAT. Sen. Mundt inserted an address by Andrew Brakke, chairman of the board of Great Plains Wheat, Inc., outlining the objectives and accomplishments of the organization. pp. A1407-8
44. FARM POLICIES. Sen. Metcalf inserted John Kenneth Galbraith's address before the annual meeting of the National Farmers Union in which he stated that "the dominant urban impression of the American farmer is that of a high-level grafter with a firm grasp on the public teat. This isn't especially good news but it is the truth." pp. A1409-11

BILL APPROVED BY THE PRESIDENT

45. INTER-AMERICAN DEVELOPMENT BANK. H. R. 45, authorizing the U. S. to participate in an increase of \$750 million in the resources of the Fund for Special Operations of the Inter-American Development Bank. Approved March 24, 1965 (Public Law 89-6).

COMMITTEE PRINT RECEIVED IN THIS OFFICE

46. ECONOMICS. 1964 Supplement to Economic Indicators, historical and descriptive background, prepared for the Subcommittee on Economic Statistics of the Joint Economic Committee by the Committee Staff and the Office of Statistical Standards, Bureau of the Budget.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

Washington, D. C. 20250

Official Business

Postage and Fees paid

U. S. Department of Agriculture

OFFICE OF
BUDGET AND FINANCE

(For information only;
should not be quoted
or cited)

Issued March 29, 1965

For actions of March 26, 1965

89th-1st; No. 55

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HIGHLIGHTS: House committee reported USDA administrative omnibus bill and bill to extend date for final report of Commission on Food Marketing. House Rules Committee cleared water resources planning bill. Rep. Findley criticized cotton program. Rep. Cooley expressed opposition to, and Reps. Callan and Redlin inserted articles opposing, proposed user charge on SCS technical assistance

HOUSE

1. ADMINISTRATIVE PROVISIONS; OMNIBUS BILL. The Agriculture Committee reported without amendment H. R. 5508, to facilitate the work of this Department (H. Rept. 206)(p. 5965). See Digest 35 for a summary of the provisions of the bill.
2. FOOD MARKETING. The Agriculture Committee reported without amendment H.R. 5702, to extend for one year (until July 1, 1966) the date on which the National

Commission on Food marketing shall make a final report to the President and to the Congress and to authorize \$1 million additional for the work of the Commission (H. Rept. 207). p. 5965

3. WATER RESOURCES. The Rules Committee reported a resolution for consideration of H.R. 1111, to provide for the optimum development of natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning. p. 5966
4. MANPOWER. The Rules Committee reported a resolution for consideration of H.R. 4257, to amend and extend the Manpower Development and Training Act to June 30, 1968. p. 5965
5. EDUCATION. By a vote of 263 to 153, passed with amendments H.R. 2362, the proposed Elementary and Secondary Education Act of 1965 (pp. 5893-5944, 5945-6, 5962). By a vote of 149 to 267, rejected a motion by Rep. Goodell to recommit the bill to the Education and Labor Committee (pp. 5942-3). The bill extends for two years, until June 30, 1968, authorization for Federal assistance to schools in federally impacted areas.
6. FARM LABOR. Rep. Gonzalez criticized the condition of labor camps used under the former Mexican farm labor program and inserted an article stating that Secretary of Labor Wirtz was critical of conditions in the camps. pp. 5956-7
7. FORESTRY. Rep. Olsen criticized the exportation of logs to Japan "while American mills lay off workers because logs are in short supply." and stated that he intended to introduce legislation to control the exportation of logs. pp. 5963-4
8. GRAIN. Received a S. Dak. Legislature resolution "relative to legislation to provide for an increase in the disposal price of grain being sold to millers of cereal grains to 120 percent of the support price, and to work toward long-term barter contracts with the underfed nations of the world to purchase American grain." p. 5967
9. HOUSING AND URBAN DEVELOPMENT. The "Daily Digest" states that the Subcommittee on Executive and Legislative Reorganization of the Government Operations Committee will begin hearings Apr. 5 on H.R. 6654, to create a Department of Housing and Urban Development. p. D234
10. LEGISLATIVE PROGRAM. Rep. Albert announced the legislative program as follows: Tues.: Interior appropriation bill (includes Forest Service); Wed.: water resources planning bill; and Thurs.: manpower development and training bill. p. 5944
11. ADJOURNED until Mon., Mar. 29. p. 5965

SENATE

12. REGIONAL DEVELOPMENT. The "Daily Digest" states that the President's message recommending a program of area and regional economic development in distressed area was received Mar. 25 and referred to the Banking and Currency Committee (H. Doc. 126)(p. D232). See Digest 54 for items of interest.

CONSIDERATION OF H.R. 1111

MARCH 26, 1965.—Referred to the House Calendar and ordered to be printed

Mr. COLMER, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 309]

The Committee on Rules, having had under consideration House Resolution 309, report the same to the House with the recommendation that the resolution do pass.



REPORT OF THE

COMMISSIONER OF THE GENERAL LAND OFFICE

FOR THE YEAR 1911

1912

WASHINGTON: GOVERNMENT PRINTING OFFICE: 1912

House Calendar No. 42

89TH CONGRESS
1ST SESSION

H. RES. 309

[Report No. 212]

IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 1965

Mr. COLMER, from the Committee on Rules, reported the following resolution;
which was referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That upon the adoption of this resolution it
2 shall be in order to move that the House resolve itself into
3 the Committee of the Whole House on the State of the
4 Union for the consideration of the bill (H.R. 1111) to pro-
5 vide for the optimum development of the Nation's natural
6 resources through the coordinated planning of water and
7 related land resources, through the establishment of a water
8 resources council and river basin commissions, and by pro-
9 viding financial assistance to the States in order to increase
10 State participation in such planning. After general debate,
11 which shall be confined to the bill and shall continue not to
12 exceed one hour, to be equally divided and controlled by the

1 chairman and ranking minority member of the Committee
2 on Interior and Insular Affairs, the bill shall be read for
3 amendment under the five-minute rule. At the conclusion
4 of the consideration of the bill for amendment, the Commit-
5 tee shall rise and report the bill to the House with such
6 amendments as may have been adopted, and the previous
7 question shall be considered as ordered on the bill and
8 amendments thereto to final passage without intervening
9 motion except one motion to recommit.

RESOLUTION

Providing for consideration of H.R. 1111, a bill to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

By Mr. COLMER

MARCH 26, 1965

Referred to the House Calendar and ordered to be printed



Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

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HIGHLIGHTS: House passed water resources planning bill. House committee reported water pollution control bill. House received President's proposed area and regional development bill. Rep. Langen inserted GOP task force report critical of farm program. House received President's report on Public Law 480. House committee granted permission to report supplemental appropriation bill by Apr. 2. Several Reps. introduced and Rep. Resnick discussed bill to provide nationwide marketing order for table eggs. Several Reps. introduced and Rep. Fallon discussed administration's bill on area and regional economic development.

HOUSE

1. WATER RESOURCES. Passed with amendments S. 21, the proposed Water Resources Planning Act, after substituting the language of similar bill, H. R. 1111, which had been passed with amendments earlier by the House by a vote of 383 to 0 (pp. 6161-81). H. R. 1111 was then tabled (p. 6181). As passed the bill includes provisions as follows: Establishes a Federal Water Resources Council, composed of the Secretaries of Interior, Agriculture, Army, and HEW and the Chairman of the Federal Power Commission, to coordinate river basin plans and maintain a continuing study of water supply requirements and management.

(over)

Authorizes the President to establish river basin water resources commissions with responsibility for coordinating Federal, State, local, and nongovernmental plans for the development of water and related land resources; preparing and keeping up to date a comprehensive, integrated, joint plan for these resources; recommending long-range schedules or priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and fostering and undertaking studies of water and related land resources problems. Authorizes annual appropriations of \$5 million, beginning the next fiscal year after enactment, for a period of 10 years for grants to States to assist them in developing comprehensive water resources plans and in participating in the work of the river basin commissions.

2. REGIONAL DEVELOPMENT. Received from the President a proposed bill "to provide grants for public works and development facilities, other financial assistance, and persistent unemployment and underemployment in economically distressed areas and regions" (H. Doc. 131); to Public Works Committee. p. 6219
3. OLDER AMERICANS. By a vote of 391 to 1, passed with amendments H. R. 3708, the proposed Older Americans Act of 1965, providing for the establishment of an Administration on Aging in HEW. pp. 6137-61, 6207
4. FORESTRY; PERSONNEL. A subcommittee of the Judiciary Committee voted to report to the full committee H. R. 6691, to validate certain over-payments made by the Forest Service to Southwestern Indian firefighter crews from N. Mex. and Ariz. p. D249
Received a N. Mex. Legislature resolution "requesting a review of overly severe grazing regulations enforced by the U. S. Forest Service." p. 6222
5. PUBLIC LAW 480. Received from the President the annual report on activities carried on under Public Law 480 (H. Rept. 130). pp. 6135-6
6. WATER POLLUTION. The Public Works Committee reported with amendment S. 4, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters (H. Rept. 215). p. 6220
Rep. Farnum inserted an article commending efforts for increased water pollution control measures. p. 6215
7. FARM PROGRAM. Rep. Langen inserted a GOP agriculture task force report critical of administration farm policies and suggesting areas which should be studied by the task force. pp. 6196-7
8. MANPOWER. Received from Labor a report on manpower research and training under the Manpower Development and Training Act for calendar year 1964. p. 6220
Rep. O'Hara commended accomplishments under the manpower development and training program. pp. 6215-6
9. LIVESTOCK. Rep. Teague inserted a number of resolution adopted at the convention of the Texas and Southwestern Cattle Raisers Assoc. relating to problems in the livestock industry. pp. 6217-8

Mr. Charles H. Wilson with Mr. Kasteneimer.
 Mr. Everett with Mr. Gray.
 Mr. Watts with Mr. Howard.
 Mr. Jones of Alabama with Mr. Fulton of Tennessee.
 Mr. Flood with Mr. McMillan.
 Mr. Pickle with Mr. Gialmo.
 Mr. Purcell with Mr. Hanna.
 Mr. Smith of Iowa with Mr. Hawkins.

The result of the vote was announced as above recorded.
 The doors were opened.
 A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DENT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend and revise their remarks and to include extraneous matter on the bill just passed.
 The SPEAKER. Without objection, it is so ordered.
 There was no objection.

COMMITTEE ON APPROPRIATIONS

Mr. STEED. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, Thursday, April 1, 1965, to file a report on the Treasury-Post Office appropriation bill for 1966.

Mr. CONTE reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON APPROPRIATIONS

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight, Friday, April 2, 1965, to file a privileged report on the second supplemental appropriation bill, 1965.

Mr. BOW reserved all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

WATER RESOURCES PLANNING ACT

Mr. COLMER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 309 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1111) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority mem-

ber of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

(Mr. COLMER asked and was given permission to revise and extend his remarks.)

Mr. COLMER. Mr. Speaker, I yield the usual 30 minutes to the gentleman from Ohio [Mr. BROWN] and pending that, Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 309 provides for consideration of H.R. 1111, a bill to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning. The resolution provides an open rule with 1 hour of general debate.

The purpose of H.R. 1111 is to encourage and make possible the prudent development of the Nation's water and related land resources through sound, comprehensive, and coordinated planning. To accomplish this purpose, the bill establishes a Cabinet-level Water Resources Council in the executive branch; authorizes the President to establish river basin planning commissions when and where they are needed; and provides for financial assistance to the States for water resources planning.

The Council will be composed of the Secretaries of the Interior, the Army, Agriculture, and Health, Education, and Welfare, and the Chairman of the Federal Power Commission. It will have the responsibility for guiding the Nation's planning effort in the water resources field and keeping the President and the Congress informed on the water needs of the Nation.

The river basin commissions will be established upon the basis of need and at the request of the States involved or of the Council. They will prepare and keep up to date comprehensive, integrated joint plans for Federal, State, interstate, local, and nongovernmental development of water and related land resources.

The financial assistance to the State for which H.R. 1111 provides would be on a dollar-for-dollar matching basis, and would enable them to play a more effective role in planning the development and conservation of their water and related land resources.

Existing laws will not be modified or superseded by this legislation, and commissions will not be established where adequate planning is already being accomplished by some other means.

The cost of carrying out the provisions of title I of the bill is estimated at from \$120,000 to \$150,000 per year. The cost of the assistance program to the States would be \$5 million per year for 10 years, assuming that the full amount author-

ized is appropriated. The cost of administering title III is estimated at \$300,000 to \$400,000 per year for the 10-year period. The cost of carrying out the provisions of title II should not exceed \$5 or \$6 million per year at the peak, with the maximum number of commissions, and not more than \$2 million after the basin plans have been completed.

Mr. Speaker, I urge the adoption of House Resolution 309.

Mr. BROWN of Ohio. Mr. Speaker, this rule makes in order under 1 hour of general debate and an open rule, the Water Resources Planning Act, which calls for an appropriation on a 5-year basis of around \$7 million a year to establish a Water Resources Council and also certain commissions within different river basin areas. Our water resources have become extremely important to the people of this Nation. There has been complete support of this bill, as I understand it, within the Committee on Interior and Insular Affairs which reported it out unanimously and in the Committee on Rules. I believe this is a worthy piece of legislation.

Mr. Speaker, I have no requests for time.

Mr. COLMER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. ROGERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1111) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a Water Resources Council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning, and pending that motion, Mr. Speaker, I ask unanimous consent that all Members of the House have permission to revise and extend their remarks on this piece of legislation.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 1111, with Mr. DADDARIO in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. ROGERS of Texas. Mr. Chairman, I yield 10 minutes to the distinguished chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL].

(Mr. ASPINALL asked and was given permission to revise and extend his remarks.)

Mr. ASPINALL. Mr. Chairman and Members of the House, this legislation comes before you today after 6 years of study and consideration in the Interior

and Insular Affairs Committee. Long before that, basinwide comprehensive planning of the Nation's water resources was a matter of study in the executive branch and by various commissions and committees. The approach set out in H.R. 1111 was recommended in the 1951 report of the Water Resources Policy Commission appointed by President Truman and in the 1955 report of the Presidential Advisory Committee on Water Resources Policy appointed by President Eisenhower.

Legislation similar to H.R. 1111 was developed in my committee and introduced in 1959. We studied the legislation in cooperation with representatives of the Bureau of the Budget and other affected Federal agencies. Out of these cooperative studies came the legislative proposal of President Kennedy which was introduced and considered in the 87th Congress, but on which there was no final action in either body. H.R. 3620 and S. 1111 of the 88th Congress were revised versions of President Kennedy's proposal, reflecting particularly suggestions made by representatives of the States that river basin commissions be truly Federal-State in character and that river basin planning be a partnership venture with not only the Federal Government and the States participating but including also local agencies and private enterprise. S. 1111 passed the Senate in the 88th Congress and was reported by my committee. In the rush for adjournment last year, the legislation was not called up in the House. With minor changes, the legislation we bring before you today is the same as that approved by the Senate and by my committee last year. A similar bill, S. 21, has already passed the other body.

During the period that the committee studied this legislation, we worked very closely with the States in order to be sure that the rights of the States and local interests are protected and that the planning, development, and use of our available water resources is a joint venture. Initially, many of the States were concerned that this legislation would give the Federal Government additional authority and jurisdiction over water distribution and use. This, of course, was never intended and legislation that we have developed makes this abundantly clear. Not only would the legislation not give the Federal Government expanded authority for water resources development but, through the 10-year financial assistance program provided until title III, it will permit the States to play a more important and effective role in planning the development and conservation of their water and related land resources. From a position of disinterest or downright opposition, the States have become the most ardent supporters of this legislation. Last year the committee received the personal endorsement of 23 Governors and the endorsement of many additional State water agencies and groups. The legislation has the full backing of the Council of State Governments, which represents all the States.

Mr. Chairman, H.R. 1111 will make possible the prudent development of the

Nation's water and related land resources through sound, comprehensive, and coordinated planning. It involves planning only, and the construction and operation of works of improvement will continue to be the responsibility of appropriate Federal agencies, States, municipalities, local groups, or nongovernmental entities. The present responsibilities of the Federal Government or of the States relative to the development, control, or use of water will be neither expanded nor diminished by the enactment of this bill.

Mr. Chairman, no major responsibility of the Federal Government is so divided as that relating to the conservation, development, and utilization of the Nation's water and land resources. With water use in this Nation expected to double in the next 20 years and as our limited water supplies dwindle in relation to our national needs, choices among alternative uses will have to be made. It is, therefore, becoming increasingly important that some effective means be established for water resources management which will achieve maximum beneficial use of our limited supplies. We believe that comprehensive planning as contemplated by H.R. 1111 is a key element in resolution of the problems of water supply and water-use requirements which face this Nation in the years ahead, and that the enactment of this bill will materially assist the Nation in developing, managing, and utilizing its basic water supply to best meet demands as they arise both in terms of quantity and in terms of quality.

The gentleman from Texas [Mr. ROGERS], chairman of the subcommittee responsible for the hearings and study given to this legislation, will discuss provisions of H.R. 1111 and the committee amendments thereto.

Mr. HOSMER. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. SAYLOR].

(Mr. SAYLOR asked and was given permission to revise and extend his remarks.)

Mr. SAYLOR. Mr. Chairman, there can be no doubt in the minds of any of us that the handling of water resources development by the United States, by the States and by private enterprise is, very confusing. We see this right here on Capitol Hill. Legislative authority in this field is split between the Interior Committee, the Public Works Committee, the Agriculture Committee, the Merchant Marine and Fisheries Committee, the Commerce Committee, and even sometimes the Foreign Relations Committee. Executive authority is split in just as confusing fashion between the Bureau of Reclamation, the Corps of Engineers, the Soil Conservation Service, the Fish and Wildlife Service, the State Department acting through the American section of the International Boundary and Waters Commission, the Geological Survey, the Weather Bureau, the Public Health Service, and heaven knows what other agencies.

I have hopes that enactment of H.R. 1111 will help to overcome some of the executive confusion, even if it does not help much here on the Hill. I have hopes, too, that it will serve to bring into

focus, river basin by river basin, who is doing what and who ought to be doing what. For we have not only the problem of interagency and intercommittee confusion here in Washington, we also have confusion between what is properly State and what is properly Federal, between what is properly local and what is properly State, between what is properly nongovernmental and what is properly governmental. To sort out all these factors and to produce workable and feasible plans for our river basins is going to be a monumental task. H.R. 1111 can help get that job done, and, therefore, I am all for it.

For there is no question about the necessity of utilizing our water resources to their utmost. I am not going to burden the RECORD at this point with detailed figures on how our population is increasing, on how much water it takes per man per day in our economy, on the number of hundreds of gallons it takes to make a ton of steel, on how our rivers are getting polluted and how we need to freshen them up and keep them clean, on the growing demand for water for recreation, on how much food our people will need a quarter of a century from now, and how there will not only—I say this hopefully—be no farm surplus but a great need to increase the acres we use for agriculture and, therefore, a need for draining our wet places and irrigating our dry places.

We all know, even without statistics, that these things are so and we all know that to meet the challenge of the future is going to take the best efforts of all of us, including, particularly, the millions of citizens who are in what we grandiloquently refer to as the private sector of our economy. For make no mistake about it—great as Hoover Dam is as an engineering achievement, millions of acres more have been irrigated through private efforts than through Federal expenditure, and great as is Grand Coulee Dam, the private power companies out-produce the Federal power installations many, many times.

I am laying stress on this for one reason—to call attention to the importance of a number of committee amendments to H.R. 1111 that I am proud to have been associated with. I refer, for instance, to the rewritten statement of policy on page 2 of the bill with the emphasis it lays on private enterprise and on the contribution which "individuals, corporations, business enterprises, and others concerned" can make to comprehensive and coordinated planning of our water resources. I refer again to page 9 of the bill where the reference to Federal, State, and interstate plans for the development of water resources has been enlarged to include "local and nongovernmental plans" for the same. And I refer to page 22 of the bill where the Water Resources Council is enjoined to approve State programs for comprehensive water resources planning only if they make "adequate provision for coordination with all Federal, State, and local agencies, and nongovernmental entities having responsibilities in affected fields."

With the full cooperation of private enterprise and without full attention be-

ing paid to what it can and should do, the best river basin plans that could be provided would be sadly lacking. I am glad that the Interior and Insular Affairs Committee has recognized this by the adoption of the amendments I just referred to.

Mr. Chairman, I think this is enough to indicate my feelings on H.R. 1111. I urge its passage by the House.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I will be glad to yield to the gentleman from North Carolina.

Mr. JONAS. Will the gentleman from Pennsylvania tell the committee how this bill ties in with the water resources research bill which we did pass last year? Was that a companion piece of legislation to this?

Mr. SAYLOR. That was a companion piece of legislation to H.R. 1111. This will try to direct its attention principally to the executive branch of the Federal Government to see to it that the Federal agencies will eliminate duplication.

Mr. JONAS. I was just getting to that. Will the gentleman in the well assure the Committee that there is no overlapping in the two programs?

Mr. ASPINALL. Mr. Chairman, will the gentleman from Pennsylvania yield to me?

Mr. SAYLOR. I yield to the gentleman from Colorado.

Mr. ASPINALL. To the gentleman from North Carolina I would say that last year's water resource bill had to do with the study of water as a natural resource. This has to do with the planning for the collection and the capture and the use of the water and the spreading of it around to the various uses. There is no correlation insofar as the research and development effort and planning efforts are concerned, except they are both water programs.

Mr. JONAS. If the gentleman will yield further, they will complement each other instead of being in opposition?

Mr. ASPINALL. The gentleman is absolutely correct.

Mr. DAVIS of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Wisconsin.

Mr. DAVIS of Wisconsin. Just how does this fit in now with the bill that apparently we are coming to fairly soon, S. 4, the so-called water pollution bill?

Mr. SAYLOR. I will say to the gentleman from Wisconsin if the House will pass S. 4 as reported by the House Public Works Committee, and when the House and Senate conferees go to conference, if the House will be able to maintain its position there will be absolutely no duplication in these two bills, and they will complement each other and help solve this water problem.

Mr. ASPINALL. Mr. Chairman, I wish to associate myself with the statement just made by the gentleman from Pennsylvania [Mr. SAYLOR]. It is necessary that we remember if we are not careful in this matter of water pollution under the jurisdiction of HEW, and the committee that handles it in this body as well as the other body, we will get ourselves into a duplicatory situation

that it would be difficult for us to disentangle ourselves from.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HOSMER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. DAVIS of Wisconsin. I want to thank the gentleman, chairman of the committee, for his answer. I gather an inference from a statement made by the gentleman from Pennsylvania that there may be a difference in the Senate and House versions with respect to S. 4. The gentleman from Pennsylvania mentioned if we can sustain the House position. Are we to infer that the Senate version contains provisions that are duplicatory of the provisions of H.R. 1111?

Mr. SAYLOR. No. The Senate version will cause duplication as far as eliminating the States' right to participate. May I say from reading the report on S. 4 as reported by the House Public Works Committee, both majority and minority sides are to be complimented on the manner in which they took this very important problem and worked out a very excellent bill. The mere fact this committee worked its will and has reported such a good bill when they bring that bill to the floor of the House it should require the complete cooperation of Members on both sides so that when the House conferees go to conference they will be in a position to tell the Senate that they have unanimous support in the House of Representatives.

Mr. DAVIS of Wisconsin. I take it that S. 4 in the form in which it has been approved by the Public Works Committee and the House does have the approval of the ranking minority member of the committee?

Mr. SAYLOR. It has my full support.

Mr. JONAS. I appreciate the gentleman's answer to the question I raised, the answer on the part of the gentleman from Pennsylvania as well as the gentleman from Colorado. It is important to have the record clear because nothing is more important than water, and it would be a mistake to have a half-dozen separate pieces of legislation on the subject. I wanted to be sure that there is no duplication, and that this bill now before the Committee would actually complement the bill we passed last year.

Mr. REINECKE. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from California.

Mr. REINECKE. I wish to ask the gentleman a question.

Title I, section 104, indicates that the report of the Council shall be transmitted to the President for his review, and transmittal to Congress. Section 204, title II, indicates that the report of the river basin commission, not the Council, but the commission, shall be submitted to the Governors or representatives of each State. Is it the intent of the committee that the report of the Council, the first part, shall also be submitted to the Governors or appointed representatives of the individual States as well as the President, or do the representatives of the States have to wait until the President has reviewed the report and referred

the report to the appropriate agency before they will hear about those particular plans or proposals for the river basin?

Mr. ROGERS of Texas. Let me answer the gentleman from California this way: It is anticipated in the river basin commissions that the States participate with membership in these commissions. There will be the Federal members and also State members. Those river basin commissions in any report they make, they will make that to the Governors of the several States involved who are participating in the river basin commission aspect. Then, of course, this will also be made to the Council. The Council in turn will make the report on its recommendations to the President and the President in turn to Congress. The only way a river basin commission can be formed is by request of the Governors of the States or by the Council itself. There must be accord between half of the States affected before they can have a commission.

It is anticipated, let me say, and I think the committee understands this and I want the entire membership of the House to understand it, that this is all public information and that it will be available to the Governors of the States or to the water commissioners of the States or to anyone else interested in the States that are affected. Although there is no specification that this be submitted to the Governors, that is because this Council itself is a national organization rather than a State organization, and the matter is submitted to the President, but it will be available to the Governors of the States and to the appropriate officials of the States at all times.

Mr. REINECKE. I thank the gentleman. I wanted the clarification as to the members of the river basin commission. I appreciate the information the gentleman has given.

Mr. CONTE. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, the citizens of my district in Massachusetts and throughout New England this year find themselves once more at the mercy of the uncontrollable forces of nature. We are on the verge of the third drought year in a row—a circumstance that threatens to produce the worst drought problem in New England in over 70 years.

We have had neither enough snow this past winter nor enough rain so far this spring to produce more than a trickle in our reservoirs. Many of the reservoirs in Massachusetts right now are two-thirds empty, instead of being two-thirds full which would be the normal for this time of year. The ground water level is estimated at 2 feet below normal—this means 2 feet beyond the reach of root systems for trees and plants.

Our State officials over in Boston estimate that 5 inches of rainfall are needed before April 15 in order to bring the ground water level up to normal for the start of the growing season. They also estimate that 20 inches of rainfall will be needed to bring our reservoir in Pittsfield up to normal.

Our people are already hearing the warnings—a scant 6 months since they heard it last—to conserve water; to stop washing cars; stop watering the lawn; stop wasting water wherever possible. I do not have to tell you what this means on the very eve of the spring growing season. The restaurants in Massachusetts have already been advised to stop serving water unless their patrons request it. That may be good news for the dairy farmers, but not for their cows who must also have water.

These pleas have an all too familiar ring for me. They are being made on a statewide basis now by Governor Volpe and the officials of the Massachusetts Water Resources Commission. Community officials in my hometown of Pittsfield were making the same pleas and the same warnings last fall in the wake of one of the driest summers on record.

The Weather Bureau advises that there is small hope of the kind of drenching downpour we need in Massachusetts in the next few weeks. This means the prolonged dry spell which has already stretched over two parched years is entering a third year. Last year the mean annual rainfall throughout the State of Massachusetts was 10 inches below its normal 43 inches. Any farmer will tell you that a dry summer followed by a dry spring is bad news for crops.

It all adds up to the fact that Massachusetts faces a worse drought in the summer of 1965 than we had back in 1941. And the statisticians told us in 1941 it was the worst drought they had had in 50 years.

The odd fact of our drought problem is that the metropolitan areas will be the hardest hit from the point of view of human consumption. It is the areas that must depend on runoff—on surface water—that will suffer most. These are the people in the cities whose water must come from reservoirs. The people who rely on so-called ground water—from wells and springs—will not be hit as hard.

Of course the farmer takes small consolation from the fact that he can get a drink from the well out front while his crops are drying to dust in the fields out back.

The people of Massachusetts need help. And they need the help proposed in the legislation, H.R. 1111—the Water Resources Planning Act.

As I understand this act, it proposes some pretty thorough machinery for planning and executing State and area-wide water conservation and storage programs. This hits at the very heart of our problem in Massachusetts. While we are prepared to make the necessary sacrifices to conserve water for vital requirements such as firefighting, sanitation, hygiene, and other necessities, this will not solve our basic problem. The answer lies in development of vast new water supply systems, new reservoirs, new conduit and ducting systems, new collection and storage facilities.

While New England has its drought problem, the question of adequate water resources is certainly not limited to any region of the country. It may be raining like crazy somewhere else but unless

that rainfall is stored up and controlled, it will not quench the thirst of our growing population. We read and hear a lot about desalting processes to convert sea water to potable drinking water. Most of these involve expensive, complicated industrial methods; huge plants and and costly materials.

It seems to me a simpler approach is embodied in the spirit of H.R. 1111. A system of matching study and development grants, administered through appropriate State and local officials should provide the soundest solutions for each region of the country and by letting nature do most of the work—converting sea water to rainfall by her own peculiar evaporation, and running it into our reservoirs.

I urge my colleagues to give this legislation serious consideration, and to weigh its merits in terms of the future requirements for water in each of their districts as well as the consequences of the kind of severe drought we New Englanders are currently facing.

(Mr. CONTE asked and was given permission to revise and extend his remarks.)

Mr. ROGERS of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as the distinguished chairman of the Interior and Insular Affairs Committee has indicated, the purpose of H.R. 1111 is to encourage and make possible maximum use of this Nation's available water resources through basinwide, comprehensive, and coordinated planning. To accomplish this purpose, H.R. 1111 provides for establishment of a cabinet-level Water Resources Council, authorizes river basin planning commissions and provides financial assistance to the States for water resources planning.

The Water Resources Council will be composed of the Secretaries of Interior, Army, Agriculture, and Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Council will have the responsibility for guiding the Nation's planning effort in the water field and keeping the President and the Congress informed on the water needs of the Nation.

The river basin commissions will be established upon the basis of need and at the request of the States involved or of the Council. They will prepare and keep up-to-date comprehensive, integrated joint plans for Federal, State, interstate, local, and nongovernmental development of water and related land resources.

The financial assistance to the States for which H.R. 1111 provides would be on a dollar-for-dollar matching basis, and would enable them to play a more effective role in planning the development and conservation of their water and related land resources.

Mr. Chairman, in order that Members may better understand what is involved in this legislation, I shall briefly explain it title by title.

The first three sections of the bill include a statement of policy and the effect on existing laws. Section 2 states as broad congressional policy the encour-

agement of the conservation, development, and utilization of water and related land resources on a comprehensive and coordinated basis with the cooperation of all affected Federal, State, and local agencies, as well as private enterprise and other nongovernmental entities. Section 3 makes it clear that this legislation is not to be construed as expanding or diminishing either Federal or State jurisdiction, responsibilities, or rights in the field of water resources development. Other disclaimers set out in section 3 relate to interstate compacts, the authority of the Congress to authorize and fund projects, the responsibilities of Federal officials, the jurisdiction of any international joint commission, and the jurisdiction of Federal and State courts over matters in controversy affecting water.

TITLE I—WATER RESOURCES COUNCIL

Title I provides for the establishment of the Water Resources Council and defines its duties and responsibilities. As I have already indicated, the Council would be composed of the Secretaries of the Interior, Agriculture, Army, HEW, and the Chairman of the Federal Power Commission. The Chairman of the Council will be designated by the President. The heads of other departments and agencies will participate with the Council when matters affecting their responsibilities are being considered?

Section 102 requires the Council to maintain a continuing study of the water situation throughout the United States and to make recommendations with respect to policies and programs relating to the Nation's water needs. Under section 103 the Council will be responsible for establishing principles, standards, and procedures for Federal participation in the preparation of river basin plans. Section 104 requires the Council to review the comprehensive plans prepared by the river basin commissions and transmit them together with its recommendations to the President for his review and submission to the Congress. Section 105 gives the Council the administrative authority it needs to carry out its responsibilities.

The committee believes that, in addition to these basic responsibilities, the Water Resources Council will be an effective mechanism for bringing the agency heads together, for coordinated planning and resolution of interagency conflicts.

TITLE II—RIVER BASIN COMMISSIONS

Title II provides for the establishment by the President of river basin water resources commissions. Section 201 describes the membership and the manner of organization, sets forth the duties of the commissions as well as their powers and administrative authority. The President may establish a commission upon the request of the Governor of one or more of the affected States or of the Council. Not less than half the affected States must concur. In addition, a commission involving the Upper Colorado River Basin or the Columbia River Basin could not be established without the concurrence of three out of four States specifically named in the legislation. The

area which may be studied by a commission may consist of a region, a major river basin, or a group of related river basins.

The commissions will be responsible for coordinating Federal, State, local, and nongovernmental plans for the development of water and related land resources. They will also be responsible for preparing and keeping up to date a comprehensive integrated joint plan for the basin or area under study. The commissions will also recommend long-range schedules of priorities for the collection and analysis of basic data and for the investigation, planning, and construction of projects.

Each river basin commission would be composed of a chairman appointed by the President, a representative of each Federal department or agency having a substantial interest, a representative from each State lying wholly or partially within the area to be studied and, where appropriate, representatives of any interstate compact commission and any international commission.

Section 203 includes language providing for the organization of the commissions, the provision for termination, and procedure for filling vacancies.

Section 204 sets out the duties of each river basin commission which include, first, conduct of studies and investigations; second, development of a comprehensive plan for the area studied; and third, the submission of such plan to the States and to the Council. If a consensus is not reached on all issues, full opportunity is to be afforded for the presentation of individual views.

Section 205 confers on each commission general administrative authority necessary for its study and preparation of plans.

Section 206 covers the compensation of members of the commission and section 207 provides for the sharing of the expenses of the commission between the Federal Government and the States. The Federal share of the commission's expenses would have to be approved by the Council. The commission is required to keep an accurate account of all receipts and disbursements, and these accounts are to be open for inspection by appropriate officials.

The river basin commissions will be established only where their need is clearly demonstrated. The language set out in title II makes it completely clear, as indicated by Chairman ASPINALL, that these are truly Federal-State commissions and that the planning effort will be a joint venture with not only the Federal Government and the States participating, but also local public agencies and private enterprise.

TITLE III—FINANCIAL ASSISTANCE TO THE STATES

Title III authorizes annual appropriations of \$5 million for a period of 10 years for grants to States to assist them in developing comprehensive water resources plans and in participating in the work of the river basin commissions. The States would be required to submit a proposed program to the Council for its approval and the Federal grant would be limited to not more than 50 percent of the cost of carrying out the program.

Allotments to the States would be made on the basis of population, land area,

need for planning, and financial need of the respective States.

The State programs would be subject to continuous review and payments could be suspended if a State failed to properly follow through with the required work.

Section 305 provides the basis for making payments to the States and section 307 requires that records be kept relative to the use of the funds, and that they be accessible to the Council and the GAO. For purposes of this act, the term "State" would include the District of Columbia, Puerto Rico, and the Virgin Islands.

TITLE IV—MISCELLANEOUS

Title IV authorizes appropriations for titles I, II, and for the administration of title III. A ceiling is placed on the amount authorized to be appropriated under each title. The cost of carrying out the provisions of title I, which relates to the Water Resources Council, cannot exceed \$150,000 per year. The cost of carrying out the provisions of title II, which relates to the river basin commission, cannot exceed \$6 million a year or \$750,000 a year for any single river basin commission. The \$6 million estimate is based upon a maximum 10 or 12 commissions. The committee believes that five or six commissions is a more reasonable estimate of the number which may be needed.

The assistance program provided in title III, which would be for 10 years only, would be \$5 million per year plus not to exceed \$400,000 for administration.

The cost of this program would be more during the initial years when the basin plans are being developed. It is expected that the cost will level off after the 10-year study period at not more than \$2 million per year.

Any discussion of the cost of administering this legislation would not be complete without pointing out the possibility of savings in effort and money which would result from coordinated planning. The committee believes substantial savings will accrue to the Federal Government due to elimination of duplication and waste among the Federal agencies involved in water resources planning.

Section 402 authorizes the Council to make rules and regulations for carrying out the provisions of the act. Section 403 authorizes the delegation of administrative functions and section 404 empowers the Council to utilize the services of officers and employees of other Federal agencies.

Mr. Chairman, the committee amended H.R. 1111 in several respects. I have already mentioned the language added which places a ceiling on the costs. I would like to mention two other changes. Language was added in several places in the bill to make it clear that comprehensive and coordinated planning of the Nation's water resources involves all segments of our economy—Federal, State, and local agencies as well as private enterprise and other non-Federal entities.

The committee modified the requirements for establishing a river basin commission in the Columbia River Basin so as to require concurrence by three of the four States of Idaho, Montana, Oregon, and Washington. This places the

Columbia River Basin on the same basis as the Colorado where, by language in the original bill, any commission involving the Upper Colorado River Basin would have to be concurred in by three of the four States of Colorado, New Mexico, Utah, and Wyoming. In both instances, this language will protect the interest of the States primarily affected.

Mr. Chairman, in closing I want to reiterate that I believe we have developed legislation which will go far in encouraging and assisting best and maximum development of this Nation's water resources.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I am happy to yield to my colleague from Colorado.

Mr. ROGERS of Colorado. I understand one of the objectives of this is to permit the commission to hire independent consultants and that they do not have to rely entirely on Government engineers who may already be on the payroll although they may be called in for consultation.

Mr. ROGERS of Texas. That is correct.

Mr. ROGERS of Colorado. On page 16 of the bill at line 8, it reads as follows: "employ and compensate such personnel as it deems advisable, including consultants, at rates not to exceed \$100 per diem."

I would like to ask the gentleman of the subcommittee if in his opinion the word "personnel" as therein used would make it possible for this commission to secure the services of professional or technical service firms?

Is the word "personnel" all inclusive, so that a corporation or a firm which might be employed could render work under that basis?

Mr. ROGERS of Texas. It is the understanding of the chairman that the answer to the gentleman's question is in the affirmative. They could be employed under this provision, and it was so intended.

Mr. ROGERS of Colorado. The firm itself could be designated under the word "personnel"?

Mr. ROGERS of Texas. Yes. I would anticipate that the services of many of the technical and professional firms particularly would probably be obtained under contract under other provisions of the bill, but if the services were needed on a consultation basis under the provision to which the gentleman is addressing himself, the answer would be "Yes."

Mr. ROGERS of Colorado. I thank the gentleman. I appreciate his comment.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I am happy to yield to the gentleman from Mississippi.

Mr. WHITTEN. I have listened with interest to the statement of the gentleman, and I can fully appreciate the need to give attention to this area. The gentleman and I and many others have been interested in watershed programs, flood control, flood prevention, and all other aspects of the problem.

Recently my attention was called to a bill which passed the other body having to do with pollution and providing for control and standards and other things. As I understand it, the Department of Agriculture was not represented in the control or in the setting of standards and things of that sort. Therefore, things could easily be fixed so that it would not be possible to produce any agricultural crops in this country, if carried to the *n*th degree.

I realize that this is a planning bill. I am not trying to put one department ahead of another, but I ask whether the gentleman believes all of those which have an interest in the public would be represented on any commission or with regard to any planning to carry out this program.

Mr. ROGERS of Texas. That is exactly the case. Let me say to the gentleman from Mississippi, who has had such a deep interest in the water problems, that one of the difficulties we have had in this country and one of the things which makes this type of legislation so necessary has been the fragmentation of effort in the proper development of all water resources, especially the surface resources at hand, to prevent waste. We wish to work this out so that there will be a coordination of effort among the various departments and so that the President will have at his fingertips full knowledge, in order to make a recommendation to the Congress as to handling these problems.

Mr. WHITTEN. I thank the gentleman. I congratulate him for sponsoring the legislation.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Like other Members, I wish to compliment the distinguished gentleman from Texas, the distinguished chairman of this great committee, and all members of the committee, for the attention and study they have given to this problem. I have listened with interest to the explanation.

I observe that there is no intention to interfere with any program already underway.

Mr. ROGERS of Texas. That is correct.

Mr. HARRIS. In the explanation as to how the water conservation program might very well be carried out by recommendations under this program, there is, as the gentleman well knows, a program under the authority of the Congress and the work of the Corps of Engineers, involving certain projects by which water supply has been added. Pursuant thereto, water districts in various areas have been established by the laws within the various States as to the handling of water supply, and there have been arrangements with the Corps of Engineers, as an example, under some projects, by which contracts have been entered into in the carrying out of the programs. Some of these projects have been virtually completed and are, one might say, ready to operate.

In listening to the gentleman's explanation and the explanation of the gentleman from Pennsylvania, the ranking minority member, I am led to wonder if there would be any conflict. Is there any way that this could interfere with the contracts which have been entered into between the water districts and the Corps of Engineers or the Department of the Interior, as the case might be, whichever agency might be involved?

Mr. ROGERS of Texas. I will say to the gentleman from Arkansas that it is the intention or was the intention of the author of the bill, the gentleman from Colorado [Mr. ASPINALL], and the Committee on Interior and Insular Affairs that handled this bill that these conflicts would not be present and that there would be no conflict.

I would like to yield to the author of the bill, the chairman of the full committee, so he can make whatever statements he desires to make on this subject.

Mr. HARRIS. If the gentleman will permit me to make one additional comment, I understood from the gentleman—and it was confirmed by the distinguished chairman and the gentleman from Pennsylvania—that what brought this on was the fragmentation—I believe that was the word used by the gentleman—or the lack of coordination with everyone having their finger in the pie, so to speak. The purpose of this, I understood, is to bring them all together. Here are projects which have been already developed throughout the years. In recent years, I think in the 1957 or 1958 act, they provided for additional water supply by which certain areas and certain water districts could enter into contracts, and some have entered into them pursuant to authority of State law. I want to be sure there is no interference with these programs or, if there is, that there will be ample opportunity to carry out whatever was intended when it started.

Mr. ROGERS of Texas. I am going to yield to the chairman of the full committee, the gentleman from Colorado, the author of the bill, on this, and I think we will have an excellent answer from him.

Mr. ASPINALL. May I say to my friend from Arkansas there is certainly no intention here that there should be any interference whatsoever. It is basic to western water law, and I think to eastern water law, that you cannot upset the rights we are conveying anyhow. No matter what you tried to do. This is purely a planning operation. First you get your councils formed on a statutory basis so that the President has somebody there to whom he can say, as the gentleman from Texas pointed out, "You get them together." After that is done, then there is the question of forming the basin commissions. After that is done there is the provision for the granting of certain matching funds to help expedite the planning; not any development or any construction or any interference with any water right already in existence or anything like that at all. I see no chance at all for what the gentleman seems to have in his mind possibly taking place.

Mr. HARRIS. I thank the gentleman for his comment, and if the gentleman

will yield further, I would like to ask an additional question.

It does seem to me that unless there is some overall authority in connection with these programs in the future I cannot see how this arrangement is going to be effective. It would seem to me—and the gentleman from Colorado probably knows more about this as to the details than I do, as well as the gentleman from Mississippi [Mr. WHITTEN], who just spoke—it seems to me we do have a Mississippi River Commission. That Commission has certain authority under the law. As I understand it, this bill would provide that the President may establish a commission for any river basin in the United States. Is that not true? The President may, on request of the Council, establish such a commission?

Mr. ROGERS of Texas. The Council can form these basin commissions, but the Governors of at least half of the States must concur in the formation.

Mr. HARRIS. If that be the case, these river commissions would have a similar responsibility, for example, as the Mississippi River Commission, which has been a part of our procedure over the years.

Mr. ROGERS of Texas. It was discussed in the committee, let me say to the gentleman from Arkansas, and it is treated in the report, that there was no intention to interfere with present commissions or present interstate compacts or any other organization having to do with the development of these resources. I think whatever contracts are in existence today or whatever commissions are in existence today it is anticipated that this will be planning for the future. If there are to be any changes made or any interference with those contracts, it will be on a voluntary basis where the entire basin will be planned for future development to the point where the people who are now parties to these contracts or commissions will profit in the future. Rather than lose any rights, they will gain more.

Mr. HARRIS. Mr. Chairman, if the gentleman will permit, I do appreciate the study and the attention the committee has given to this. What gives me some concern is the establishment of all these councils and river commissions, and so forth, and they might have some State planning program and we would have a situation just as now when we are concerned with a Bureau of the Budget directive to all of these people developing these projects as to how they shall in the future carry out that development. We had the same proposition with the Bureau of the Budget directive back in the late forties or early fifties—I believe it was No. 847. We thought then and many of us still feel that that Executive order was contrary to what the Congress had provided and what was the law, and we are getting into another situation which the committee has been trying to straighten out for the last year or so.

Mr. ROGERS of Texas. The gentleman understands that there is only one council.

Mr. HARRIS. But there are several commissions.

Mr. ROGERS of Texas. There will be river basin commissions only in those areas that want to form these river basin commissions. I think it is anticipated that there will be probably 5 or 6 of those and at the outside it might go as high as 10 river basin commissions. But you now have the machinery to work in many of these areas which will be used, rather than a river basin commission. In other words, they would have a river basin commission only where it would serve a better purpose and where the States agree.

For instance, in the upper Colorado you would have a river basin commission formed and three of the four States must agree before a river basin commission can be formed. The same is true in the Columbia River Basin.

Mr. HARRIS. Or in the Red River Basin, I assume, in the gentleman's State and in my State and in Oklahoma, and they would have to agree to the establishment of such a commission; is not that true?

Mr. ROGERS of Texas. Half of the States affected would have to agree to the commission and the commission's recommendations, the gentleman understands, would not be binding. It would be a matter of development and planning and then the final encroachment, let us say, on water resources, if there were any encroachment, would be a matter for the legislative process later on.

Mr. HARRIS. I am perfectly satisfied with the gentleman's answer and I do not intend to indicate by these questions that I interpose objection. But I want to be sure that we will not find ourselves in the middle of certain developments and projects at this time by changing the signals again. That is what is happening.

Mr. Chairman, I thank the gentleman for his comments and his answers.

(Mr. ROGERS of Texas asked and was given permission to revise and extend his remarks.)

Mr. HOSMER. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio, Mr. Bow.

Mr. ROBISON. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. ROBISON. Mr. Chairman, I would like to address a question, if I may, to the gentleman from Texas. The Susquehanna River originates in New York State, as the gentleman knows, runs through my congressional district into Pennsylvania and Maryland and the Chesapeake Bay. Presently that river basin is being studied by the Corps of Engineers under a general survey resolution. It is also being studied by a group of private utilities, using their own funds; and also by an organization of private citizens known as the Susquehanna River Basin, of which the mayor of Wilkes-Barre, Mr. Frank Slattery, happens to be president. I am a dues-paying, card-carrying member of that association. It has spent a good deal of time and effort in preliminary planning on a river basin.

The committee has inserted by way of amendment some language in subdivision 1 of section 201(b) with respect to local and nongovernmental plans.

Is this the sort of thing that the committee is thinking about?

Mr. ROGERS of Texas. I would say that the answer would be "yes"; that we had intended to include in here the participation by the nongovernmental groups that wanted to participate so there would be an optimum development of the resource itself.

Mr. ROBISON. And that a river basin commission, if one were created for our Susquehanna River Basin, might serve as a coordinating body and also be of some financial assistance to this independent group that is performing the same sort of work; is that correct?

Mr. ROGERS of Texas. Yes; and provision is made for the acceptance of grants or private contributions by the commission.

Mr. ROBISON. I thank the gentleman from Ohio for yielding.

I would like to say that I support this legislation. I believe it is very good legislation.

Mr. HOSMER. Mr. Chairman, I yield the gentleman from Ohio [Mr. Bow] 3 additional minutes.

Mr. BOW. I shall not take that amount of time.

Mr. Chairman, I take this time simply to ask a technical question of the committee, and I would like to have the attention of the chairman of the committee, if I may.

Under your section 401 which is the authorizing appropriation on page 26, the bill as it is now written says there is authorized to be appropriated not to exceed \$150,000 with respect to carrying out the provisions of title I of this act, \$6 million annually to carry out the provisions of title II, and \$400,000 annually for the administration of title III.

The question I have is whether the gentleman would object to our inserting on line 8 after "this Act," "not to exceed \$6 million," and on page 9 after "and" insert "not to exceed" \$400,000, so there would be no question of interpretation, since there is no question of interpretation as to the amount of money involved to carry out title I of the act; that is, not to exceed \$150,000. But there might be some confusion on the question of the \$6 million figure and the \$400,000 figure.

Would the gentleman object to an amendment which would provide "not to exceed \$6 million and not to exceed \$400,000"?

Mr. ROGERS of Texas. No, I would not.

Mr. BOW. I will offer that amendment.

Mr. ROGERS of Texas. That is exactly what we mean.

Mr. BOW. I am quite sure it is what the gentleman meant, but I am always fearful where we have it in the one place for one title that it might be considered that there was a directive of the House that we appropriate up to \$6 million, which might not be necessary.

Mr. ROGERS of Texas. No. Let me say this in furtherance of the thought

being brought out by the gentleman from Ohio: We on the Interior Committee know this as the "Haley amendment."

Any time there has been a bill before our committee with an open end appropriation our good friend the gentleman from Florida [Mr. HALEY] has offered the amendment of "not to exceed" so many dollars.

Mr. BOW. I would be glad to yield to my good friend, the gentleman from Florida [Mr. HALEY], but I think it should be in this language.

Mr. ROGERS of Texas. I have no objection to it and the chairman of the full committee advises me that he has no objection to it.

Mr. HOSMER. Mr. Chairman, I yield myself such time as I may consume, and I shall not take very much time.

Mr. Chairman, I want to emphasize for the purposes of the legislative history that at the time of the hearings on this bill it was felt that this Council should address itself to a subject of vast national interest—and it does—and the bill does so indicate. My fear was that the Council—being composed of the Secretary of the Army, the Secretary of the Department of the Interior, the Chairman of the Federal Power Commission, and the Secretary of HEW—might deteriorate into one of these outfits where someone down about six levels below on the steps of the ladder actually performs the functions and duties of the Council. This fear was fed slightly by the fact that the only Secretary who came to testify on behalf of the bill was the Secretary of Interior. The other high officials sent their underlings. This was thrashed out in the committee, however, and I am satisfied that the necessary serious respect for the duties of the proposed Council does exist at the Secretary level and these offices mentioned in making up the Council.

I only hope in future years this Congress may continue to insist that the high-level attention be given by the Secretaries and the chairman of our committee that this deserves.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Missouri.

Mr. HALL. I want to rise in support of this legislation that is presented. I am not interested in the jurisdictional question, but I am well aware of the fact that we need to conserve this resource, both as far as our land and water supply is concerned and for human needs. I have operated for water on the knee, I have plumbed for water elsewhere in the human body—94 percent of the human body is made up of water, so it is obvious it is essential to all of us. I have also drilled for water in the land.

I wonder if the gentleman handling the bill on the minority or majority side would advise me, because I am interested also, since there are 11 impoundments of natural river waterfalls within a hundred miles of my hometown and county in southwest Missouri, if all of this is directed to big dam impoundments, whether it is under the Corps of Engineers, whether it is under public

works, whether it is reclamation, or whether, indeed, much of it can under this coordinating bill—which I understand it to be—work along with Public Law 566 for upstream conservation of soil and water through the Department of Agriculture representatives, and whether or not it will address itself in its studies made possible in this bill to the general level of the water table, which is constantly going down into the outer crust of this old sphere?

Mr. HOSMER. Mr. Chairman, I yield to the gentleman from Colorado for a reply to the question.

Mr. ASPINALL. I thank the gentleman from California. We have to go to the basis of the formation of the Council itself. We have included within the Council membership the Secretaries of Interior and Agriculture. The gentleman from Missouri [Mr. HILL] has mentioned direct reference to that operation, the Secretary of the Army, the Corps of Engineers, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission. This provides for a study of all these matters affecting water within the areas which might be covered by a basin. We have nothing in this legislation, and it was never considered by the committee so far as impoundments or making of reservations are concerned; but we do feel in the planning operations whatever is necessary to bring about the ultimate optimum of the use of water would have to be considered by the Planning Commission and the Council.

Mr. HALL. In other words, if I may query the distinguished chairman from Colorado further, for those of us who believe that the ultimate in water conservation comes from storing it or sorting it at its recyclical effect on the earth would feel just as much in favor of that study, whether that be by group structure in this watershed or basin shed, or whether it was brought about by contour or terracing or any other water and soil process, as would those who are committed to and believe in impoundment?

Mr. ASPINALL. My answer would be "Yes," because those of us who are interested in this question of reservoir development are not only interested in that, we are also interested in underground water, we are interested in the transportation of water, water from trees and other places in the planned operation. The gentleman is right. The gentleman from Missouri is exactly right. This Council will have to pay rather close attention to how far you can go in detailed considerations.

Mr. HALL. I thank the gentleman. He has made the legislative record exactly as I would like to hear it.

I should like to add that I am in favor of this coordinating effort and I thoroughly believe that he gave an epitome of our future civilization, be it with or without a population explosion, retaining water with all of these developments, whether they are underground tunnels or whatever there may be, manmade or not, rather than washing our silt downstream and impairing our Nation's economy which was given to us by the Almighty.

Mr. McCCLORY. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman.

Mr. McCCLORY. Mr. Chairman, I thank the gentleman from California [Mr. HOSMER] for yielding to me. I am happy to support this legislation—H.R. 1111—the Water Resources Planning Act, and I commend the members of the committee for their careful consideration and wise recommendation of this proposal.

This bill makes it possible to employ, to a maximum, the talents of our many Federal, State and local agencies and officers who are concerned with the conservation of our water resources.

The establishment of river basin commissions will enable the various departments of our Federal Government, which, are concerned with our water resources, to coordinate their efforts and to join in long range and comprehensive planning for the best possible use of our existing water resources. This will include both surface and underground water sources and will afford appropriate recognition of the manifold uses to which our Nation's waters can be put.

While pure water is essential to sustain human life, there are a great many legitimate uses of water other than the human need to quench the thirst, to promote cleanliness and to receive treated human wastes. Water power, irrigation, industrial use of water, water transportation and recreation all occupy their proper place in water resource planning. Indeed, the multiple use of our water resources and even the reuse of our waters are essential considerations in programs which may be adopted under this legislation.

It was my privilege to serve during the 88th Congress as ranking minority member of the Subcommittee on Natural Resources and Power of the House Committee on Government Operations. In this capacity an opportunity was afforded for me to investigate the broad subject of water pollution and its effect on our Nation's water resources. The subcommittee conducted extensive investigations in most parts of the Nation and received constructive testimony from regional, State, and local water pollution control officials, as well as from various civic and public-spirited citizens.

The subcommittee prepared and issued various reports in behalf of promoting a more careful use of our waters and made numerous recommendations for abating various types of pollution. One conclusion that I reached was that there is a need for comprehensive planning of the use of our water within the various river basins and a need for increased coordination between the various Federal, State, and local water pollution control agencies.

The provisions of this bill (H.R. 1111) directed as they are toward a joint Federal-State effort, are consistent with my views for promoting a careful use of our water resources. I look for effective results from the enactment of this measure.

(Mr. McCCLORY asked and was given permission to revise and extend his remarks.)

(Mr. HOSMER asked and was given permission to revise and extend his remarks, and that Mr. CLEVELAND be given the same privilege.)

Mr. CLEVELAND. Mr. Chairman, H.R. 1111, the Water Resources Planning Act of 1965, establishes a Water Resources Council in the executive department; authorizes the President to establish river basin planning commissions where they are needed; and provides financial assistance to the States for water resources planning.

The Council is to be composed of the Secretaries of the Interior, the Army, Agriculture, and Health, Education, and Welfare, and the Chairman of the Federal Power Commission.

The river basin commissions are to be set up according to need, either at the request of the States concerned or of the Council itself.

Money provided to the States is to be furnished on a dollar-for-dollar matching basis.

This legislation has been urged at least since the administration of President Truman and reendorsed by every administration since then.

H.R. 1111 brings these recommendations to fruition and will enable a coordinated, cooperative approach to the problem of conserving our precious water supplies. At the present time, the Federal responsibility relating to conservation and water resources is one of the most chopped up and diversified of all Federal operations. This legislation will make it possible to pull all programs together, eliminate duplication, and achieve the maximum possible results.

I support H.R. 1111 and strongly urge its passage by the House.

Mr. HOSMER. Mr. Chairman, I have no further requests for time.

Mr. ROGERS of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. DOW].

(Mr. DOW asked and was given permission to revise and extend his remarks.)

Mr. DOW. Mr. Chairman, the Water Resource Planning Act, H.R. 1111, is a more remarkable piece of legislation than many bills of wider renown and greater outlay.

This bill touches in the broadest way the vital question of America's water resources in a program that is comprehensive for the Nation. Within its scope are plans that relate not only to conservation of our natural waters for myriad purposes, but also to the protection of our waters from further pollution.

These two considerations are of major concern nationwide. In my single district they are paramount considerations for three great rivers traverse the district or course along its borders. These are the Hudson, the Delaware and the Susquehanna. Every one presents acute problems in water conservation, flood control and pollution.

Now, I further submit that the bill has to commend it still another notable fact. It is that the sums suggested in the bill for oversight upon these great waterways across our Nation, are small sums, are tiny sums, for achieving the great purposes intended. No one should scruple to grant this pittance of a few

million dollars for the objective here before us.

But perhaps the most remarkable feature of the bill now offered, is the fact that it does for the first time in any bill I have seen, set a standard pattern for interstate agencies. The Nation is freckled with various interstate committees, commissions, authorities and districts, all of them ad hoc, for the curing of specific problems. None of them fits a wider pattern or envisions conformance with a policy broader than the specific job to be done at a time and place.

To the great credit of the authors of this bill, let it be said that here we have the beginnings of a standard pattern for interstate coordination as well as State and Federal cooperation. This is obtained through the concept of river basin commissions which the new bill provides for along with standard practices for such commissions. I submit that this is a kind of pioneering in the sphere of Government, just as it is a marked progression in the area of water conservation.

Here is a striking combination of advances in several ways. I do endorse this legislation and urge all others to do the same.

Mr. ROGERS of Texas. I thank the gentleman from New York for his contribution.

Mr. Chairman, I now yield to the gentleman from Illinois [Mr. GRAY].

[Mr. GRAY addressed the Committee. His remarks will appear hereafter in the Appendix.]

Mr. ROGERS of Texas. Mr. Chairman, I yield the balance of the time to the gentleman from Utah [Mr. KING].

(Mr. KING of Utah asked and was given permission to revise and extend his remarks.)

Mr. KING of Utah. Mr. Chairman, I am pleased to speak in support of the Water Resources Planning Act.

It is traditional for a Congressman from my part of the country to have a great interest in the protection and development of water resources. Our statements concerning water are almost clichés, so often have we sung the refrain: "Water is our life-blood."

However, I am particularly happy that my position today is not that of a regional partisan, and that my remarks will not contribute to sectionalism.

The Water Resources Planning Act of 1965 is a national bill. It is designed to provide protection for all of our citizens. It recognizes the right and responsibility of the Federal Government to provide leadership when problems of planning the use of our resources transcend State lines. Yet the act recognizes the rights of States and regions and of private, non-governmental groups of people whose interests deserve to be considered.

The committee hearings concerning this and related legislation considered over the past decade have established the need for "prudent development" of our water resources, through "sound, comprehensive, and coordinated planning."

The need for planning for optimum development of water and related land

resources is universally acknowledged in our country. We are all well aware that our present use of 300 billion gallons daily will double in 20 years. We need more water. More urgent is the need for a more equitable distribution of the water we do have.

It is my conviction that this bill, when enacted, will dramatize the importance of the problem of water use, and that it can provide the machinery for the wise planning of water utilization. I am pleased that the machinery proposed for this legislation makes a distinction between the need for overall centralized, planning, and the need for localizing the solution to local problems.

Title I provides for establishment of a Water Resources Council composed of members of Cabinet rank.

The status of the Council will emphasize the high importance of water planning in the national interest and will provide machinery whereby agencies concerned with similar or overlapping problems can coordinate their planning responsibility. Duplication by and competition between agencies should be eliminated because of the Council's work.

Title II guards against overcentralization in water planning by providing for the establishment of commissions in the river basins and sub-basins—usually at the request of the States involved—where such commissions are desired, and are felt to be in the national interest. It is in the regional commissions that much of the very important work contemplated by the authors of this bill will be done. Here will be collected the research data needed and here will be conceived and incubated plans to be presented to State legislatures and to Congress for action.

The bill recognizes too that planning is an ongoing process, that plans once conceived often must be revised and modified to keep them up to date.

One very appealing feature of this part of the act is that it visualizes a new era of Federal-State-local cooperation. It effects a decentralization of Federal power, and a renewal of Constitutional Federalism that many critics of our allegedly monolithic central government have long sought.

There is the Federal presence provided for in title II, but that Federal presence is regionalized, and is identified with the just desires of the States and local agencies.

I am not so naive as to expect the millenium at this juncture, but I do anticipate this to be a bold experiment in decentralization. The experiment deserves a trial. Local money, local ideas, local interests will have a fighting chance to be reflected in the arrangement contemplated in this bill. Cooperation and not dictation is the watchword.

I urge the passage of H.R. 1111.

Mr. EDMONDSON. Mr. Chairman, this measure represents further recognition by this body of the paramount importance of planning, on a regional and basic level, to meet the ever-mounting problems of water supply in our Nation.

While some may disagree as to detailed features of this bill, no one can properly question the urgency of the Nation's need

for improved planning and cooperation between and among the States—and between the Federal Government and the States—in this important field.

I support H.R. 1111 and urge its approval.

Mr. WELTNER. Mr. Chairman, it has been my privilege to serve on the Banking and Currency Committee for a little over 2 years under the able and dedicated leadership of the gentleman from Texas, WRIGHT PATMAN.

I was extremely pleased at the beginning of the 88th Congress to be appointed to the Banking and Currency Committee. This committee handles matters of the utmost importance to the Nation, and it has been a rewarding period of service.

It was my privilege to have served with the distinguished former member of the Banking and Currency Committee, the Honorable Albert Rains of Alabama. Mr. Rains' determination to find solutions to urban problems has been an inspiration to all his colleagues. His service on the Housing Subcommittee will provide guidance in this field for a long time to come. We shall continue to miss him.

As the Banking and Currency Committee enters its second century, its work will be increasingly significant. I am glad to be a part of it.

Mr. WILLIAM D. FORD. Mr. Chairman, I would like to urge approval of the Water Resources Planning Act of 1965, which would establish a Water Resources Council, River Basin Planning Commissions, and also provide grants to States for water resources planning.

This is a multifaceted bill aimed at curbing one of America's most pressing problems—the pollution and waste of our most precious resource.

It has been pointed out by Senator PAT McNAMARA, chairman of the Senate Public Works Committee, that the correction of pollution is much more difficult and costly than its prevention.

I have cosponsored Water Resources Planning Act as one of many Congressmen who have introduced identical proposals. I feel strongly that we must take action now to prevent further deterioration of our lakes and rivers.

This bill will bring about better coordination among Federal water agencies, and will stimulate joint planning between Federal agencies and State governments in solving the problem of pollution.

The League of Women Voters of the United States and many other organizations have lent their support to this important legislation. And I call upon the Members of this House to pass this much-needed and long-overdue legislation now. We cannot tolerate or explain further delay of a real solution to the pressing problems of water conservation.

Mr. GRABOWSKI. Mr. Chairman, I rise to express my vigorous support for H.R. 1111, the Water Resources Planning Act. This bill wraps up in one legislative package a number of ideas that have been developed over the past several years to improve the Nation's ability to deal with its water resources problems in the decades ahead.

Demands for water and water-related activities are rising inexorably toward an

essentially limited supply. The population explosion, increasing urbanization, and industrial growth in the United States serve to overtax water supplies in many areas and cause pollution which decreases the value of the water we have. The Great Society provides more and more people with leisure time and enough money to permit them to seek water-based recreation. Conflicting demands on the same water resources thus create ever-increasing problems that must be coped with through the concentrated efforts of Federal, State, and local governments, and many segments of our private enterprise economy. The organizational pattern provided in this act will provide the framework for accomplishing this.

Title I of the Water Resources Planning Act establishes the Water Resources Council as a Cabinet-level coordinating agency of the Federal Government. The Council will be composed of the Secretaries of the Federal Departments of Agriculture, Army, Health, Education, and Welfare, and Interior, and the Chairman of the Federal Power Commission. Problems of water resource coordination are such that a similar group has, in fact, been operating on an informal basis for more than 20 years, as the Federal Interagency River Basin Committee from 1943 to 1954, and as the Interagency Committee on Water Resources from 1954 to the present. Additionally, under Presidents Eisenhower, Kennedy, and Johnson, there has been convened an Advisory Committee on Water Policy, or an ad hoc Committee of Cabinet Secretaries to deal with the responsibilities of the President for coordination of the activities of the many departments and agencies of the United States that have responsibilities in the field of water resources.

Under this act, the heads of these agencies will be brought together on a statutory basis, and provided with a professional staff. A great improvement in the efficiency of Federal activities in the water resources field can be expected to follow. This is a broad field, and the Federal Government has a large program scattered among many agencies. Larger programs will be needed in the future as the water situation becomes more stringent. The Council, by maintaining continuing studies and periodic assessments of the adequacy of water supplies in the United States to meet water requirements, will assure that the full resources of the U.S. Government are brought to bear on the problems, with minimum dilution of effort because of interagency differences of opinion and conflicts, that, in the absence of the Council, now have to go to the President for resolution.

Title II provides for the establishment of river basin commissions to coordinate the efforts of all responsible agencies in the preparation and keeping up to date of comprehensive plans for the development of water and related land resources. These will be Federal-State commissions, with Federal members appointed by the President, and State members appointed by the Governors of their respective States. The commissions thus will be patterned somewhat along the lines of

the Delaware River Basin Commission created by the Delaware River Basin Compact in 1961, but will have responsibilities similar to those of the U.S. study commissions in the southeast river basins and the Texas basins. There have been many other types of river basin planning organizations since the idea was first broached in 1949 by the late Senator Robert S. Kerr, of Oklahoma, for the Arkansas-White-Red Basins. This bill incorporates all of the best and most recent thinking on the subject. The gentleman from Colorado, Congressman ASPINALL, the distinguished chairman of the Committee on Interior and Insular Affairs, deserves a great deal of credit for title II, since congressional consideration of blanket authorization for creation of river basin commissions stems from provisions of a bill which he introduced in the 86th Congress, H.R. 3704. This was 2 years before the Senate Select Committee on National Water Resources, under the chairmanship of the late Senator Kerr, made its recommendation for coordinated river basin planning in 1961.

One of the most significant and important aspects of title II is that it sets up a mechanism for Federal, State, local governmental, and nongovernmental cooperation in the achievement of coordinated water resources plans. The water resources development tasks which lie ahead are so great that only by the mobilization of all interests can we assure that the job will be done.

In recognition of the fact that the States have an important role to play in the water resources planning field, and that some of them have inadequate resources for this purpose, title III of the Water Resources Planning Act establishes a matching grant program whereby Federal funds will be made available to assist them in comprehensive water resources planning activities. Inability of some of the States to respond adequately to previous attempts at coordinated Federal-State planning has held back some attempts to achieve coordinated planning in the past. This proposal to cope with this situation stems from a recommendation by Senator Kerr's Committee on National Water Resources, which reported in 1961. All of the programs and ideas covered by H.R. 1111 have been under intensive discussion since 1961. Largely through the efforts of such public-spirited bodies as the Interstate Conference on Water Problems, and the League of Women Voters, with its chapters in every State, this bill has been brought to fruition in the 89th Congress.

I believe it may well be the most important conservation legislation in this Congress. Problems of water supply and distribution, water pollution, flood control, increased use of bodies of water for recreation, the increasing pressure on fish and wildlife resources, all point to the fact that we must better organize our efforts to cope with these problems. This bill is the answer, and I wish to pledge my wholehearted support to its objectives, as well as to commend the distinguished chairman of the Interior Committee and his colleagues for their efforts in bringing the bill up for action at this time.

Mr. ULLMAN. Mr. Chairman, I rise in support of this bill, H.R. 1111, the Water Resources Planning Act. The prerogatives of local, State, and basin entities are well protected and the national water resource interests greatly enhanced by this measure. The objectives of this bill, to make possible the coordinated and prudent development of the Nation's water and related land resources through sound and comprehensive planning, are extremely important. The Nation must achieve them.

In my remarks in the RECORD on February 4, I brought to the attention of the House—

That all sectors of American life are counting on a continuing and even substantial growth in our economy;

That to support this necessary growth, we assume that there will be enough natural resources to go around and fill the needs of our country and people;

That as of today I feel this to be an ill-founded assumption—we have no sound reasons for believing that our country's soil, water, timber, grassland, wildlife, and other natural resource needs will be adequately met in the future; and

That as a nation and as a government we are not pursuing a sufficient and deliberate course to meet these resource needs.

I continued by making reference to this bill, H.R. 1111, as a part of the required beginning in this country of a full-scale national effort of natural resource planning, coordination, development, utilization, and direction.

This measure, H.R. 1111, is truly a great stride forward in our national resource endeavor, but it must not be considered as a panacea for all of the policy and management ills besetting the Nation in this area.

I continue to be particularly concerned, as others of my colleagues are, with an ever-growing proliferation of natural resource activity and the development of diverse criteria for similar purposes within the Federal agencies; a lack of coordination between economic and social policy and natural resource policy; and most important, the entrenchment of separate interests within the agencies of the Executive and within the committees of the Congress which prevent the welding together of resources, economic and social policy, and which hinder the meaningful direction, purpose and priority of natural resource endeavor.

We must follow up the step forward achievable through this legislation with further measures designed to develop the kind of coordinated direction to which I refer. In this connection I suggest the House examine H.R. 4430, a bill to declare a national policy on conservation development and utilization of natural resources, which I have introduced as a companion measure to S. 938 introduced by Senator MCGOVERN and 15 of his colleagues in the other body.

Mr. PICKLE. Mr. Chairman, I want to express my wholehearted support for this measure which is so extremely important to the development of our Nation's vital water resources.

Through the centuries, we have constantly faced the problem of developing and conserving this most precious of all our natural resources. Even today, with all the knowledge that we have, with all the facts at hand from countless studies and research programs, more than 1,100 billion gallons of water flows to the sea each day in the rivers of America.

Much work remains to be done—much planning for the many unforeseen problems of the future. The demand for water is increasing in even greater proportions than our population growth. Failure to develop our water resources will most certainly jeopardize our future and stunt our economic growth.

H.R. 1111 will go a long way toward increasing State participation in a coordinated water-planning program. It has the support of many groups concerned with water problems, and I am hopeful the Members of the House will pass the bill without delay.

We in Texas already are taking bold and imaginative steps to develop and conserve our water resources. Yet, we recognize the need for coordinating the work in our State with those on the national level; and I want to see my State extend a cooperative hand in this effort.

The CHAIRMAN. All time has expired.

The Clerk will read the bill for amendment.

The Clerk read as follows:

H.R. 1111

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Water Resources Planning Act".

STATEMENT OF POLICY

SEC. 2. In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis with the cooperation of all affected Federal agencies, States, local governments, and others concerned.

EFFECT OF EXISTING LAWS

SEC. 3. Nothing in this Act shall be construed—

(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the fields of water resources planning, development, or control; nor to displace, supersede, or limit any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

(b) to expand, diminish, or change in any particular the authority or responsibility of any Federal or State official or officials, elective or appointive, in the discharge of the duties of his or their office;

(c) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources, or to exercise licensing or regulatory functions in relation thereto; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, or of the International Boundary and Water Commission, United States and Mexico.

TITLE I—WATER RESOURCES COUNCIL

SEC. 101. There is hereby established a Water Resources Council (hereinafter referred to as the "Council") which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Chairman of the Council shall request the heads of other agencies to participate with the Council when matters affecting their responsibilities are considered by the Council. The Chairman of the Council shall be designated by the President.

SEC. 102. The Council shall—

(a) maintain a continuing study and prepare a biennial assessment of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and

(b) maintain a continuing study of the relation of regional or river basin plans and programs to the requirements of larger regions of the Nation, and of the adequacy of administrative and statutory means for the coordination of the water and related land resources policies and programs of the several Federal agencies; it shall appraise the adequacy of existing and proposed policies and programs to meet such requirements; and it shall make recommendations to the President with respect to Federal policies and programs.

SEC. 103. The Council shall establish, with the approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects. Such procedures may include provision for Council revision of plans for Federal projects intended to be proposed in any plan or revision thereof being prepared by a river basin planning commission.

SEC. 104. Upon receipt of a plan or revision thereof from any river basin commission under the provisions of section 204(a) (3) of this Act, the Council shall review the plan or revision with special regard to—

(1) the efficacy of such plan or revision in achieving optimum use of the water and related land resources in the area involved;

(2) the effect of the plan on the achievement of other programs for the development of agricultural, urban, energy, industrial, recreational, fish and wildlife, and other resources of the entire Nation; and

(3) the contributions which such plan or revision will make in obtaining the Nation's economic and social goals.

Based on such review the Council shall—

(a) formulate such recommendations as it deems desirable in the national interest; and

(b) transmit its recommendations, together with the plan or revision of the river basin commission, and the views, comments, and recommendations with respect to such plan or revision submitted by any Federal agency, Governor, interstate commission, or United States section of an international commission, to the President for his review and transmittal to the Congress with his recommendations in regard to authorization of Federal projects.

SEC. 105. (a) For the purpose of carrying out the provisions of this Act, the Council may: (1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) employ and fix the com-

pensation of such personnel as it deems advisable, in accordance with the civil service laws and Classification Act of 1949, as amended; (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates not to exceed \$100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; and (7) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) Any member of the Council is authorized to administer oaths when it is determined by a majority of the Council that testimony shall be taken or evidence received under oath.

(c) To the extent permitted by law, all appropriate records and papers of the Council may be made available for public inspection during ordinary office hours.

(d) Upon request of the Council, the head of any Federal department or agency is authorized (1) to furnish to the Council such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such Council on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The Council shall be responsible for (1) the appointment and supervision of personnel, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditure of funds.

TITLE II—RIVER BASIN COMMISSIONS

Creation of commissions

SEC. 201. (c) (a) The President is authorized to declare the establishment of a river basin water and related land resources commission upon request therefor by the Council, or request addressed to the Council by a State within which all or part of the basin or basins concerned are located if the request by the Council or by a State (1) defines the area, river basin, or group of related river basins for which a commission is requested (2) is made in writing by the Governor or in such manner as State law may provide, or by the Council, and (3) is concurred in by the Council and by not less than one-half of the States within which portions of the basin or basins concerned are located, or, in the event the Upper Colorado River Basin is involved, by at least three of the four States of Colorado, New Mexico, Utah, and Wyoming. Such concurrences shall be in writing.

(b) Each such commission for an area, river basin, or group of river basins shall, to the extent consistent with section 3 of this Act—

(1) serve as the principal agency for the coordination of Federal, State, interstate, and local plans for the development of water and related land resources in its area, river basin, or group of river basins;

(2) prepare and keep up to date, to the extent practicable, a comprehensive, coordinated, joint plan for Federal, State, interstate, and local development of water and related resources: *Provided*, That the plan shall include an evaluation of all reasonable alternative means of achieving optimum development of water and related land resources of the basin or basins, and it may be prepared in stages, including recommendations with respect to individual projects;

(3) recommend long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and

(4) foster and undertake such studies of water and related land resources problems in its area, river basin, or group of river basins as are necessary in the preparation of the

plan described in clause (2) of this subsection.

Membership of commissions

SEC. 202. Each river basin commission shall be composed of members appointed as follows:

(a) A chairman appointed by the President who shall also serve as chairman and coordinating officer of the Federal members of the commission and who shall represent the Federal Government in Federal-State relations on the commission and who shall not, during the period of his service on the commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the Federal Government;

(b) One member from each Federal department or independent agency determined by the President to have a substantial interest in the work to be undertaken by the commission, such member to be appointed by the head of such department or independent agency and to serve as the representative of such department or independent agency;

(c) One member from each State which lies wholly or partially within the area, river basin, or group of river basins for which the commission is established, and the appointment of each such member shall be made in accordance with the laws of the State which he represents. In the absence of governing provisions of State law, such State members shall be appointed and serve at the pleasure of the Governor;

(d) One member appointed by any interstate agency created by an interstate compact to which the consent of Congress has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is created;

(e) When deemed appropriate by the President, one member, who shall be appointed by the President, from the United States section of any international commission created by a treaty to which the consent of the Senate has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is established.

Organization of commissions

SEC. 203. (a) Each river basin commission shall organize for the performance of its functions within ninety days after the President shall have declared the establishment of such commission, subject to the availability of funds for carrying on its work. A commission shall terminate upon agreement of the Council or agreement of a majority of the States composing the commission. Upon such termination, all property, assets, and records of the commission shall thereafter be turned over to such agencies of the United States and the participating States as shall be appropriate in the circumstances: *Provided*, That studies, data, and other materials useful in water and related land resource planning to any of the participants shall be kept freely available to all such participants.

(b) State members of each commission shall elect a vice chairman, who shall serve also as chairman and coordinating officer of the State members of the commission and who shall represent the State governments in Federal-State relations on the commission.

(c) Vacancies in a commission shall not affect its powers but shall be filled in the same manner in which the original appointments were made: *Provided*, That the chairman and vice chairman may designate alternates to act for them during temporary absences.

(d) In the work of the commission every reasonable endeavor shall be made to arrive at a consensus of all members on all issues; but failing this, full opportunity shall be

afforded each member for the presentation and report of individual views: *Provided*, That at any time the commission fails to act by reason of absence of consensus, the position of the chairman, acting in behalf of the Federal members, and the vice chairman, acting upon instructions of the State members, shall be set forth in the record: *Provided further*, That the chairman, in consultation with the vice chairman, shall have the final authority, in the absence of an applicable by-law adopted by the commission or in the absence of a consensus, to fix the times and places for meetings, to set deadlines for the submission of annual and other reports, to establish subcommittees, and to decide such other procedural questions as may be necessary for the commission to perform its functions.

Duties of the commissions

SEC. 204. Each river basin commission shall—

(1) engaged in such activities and make such studies and investigations as are necessary and desirable in carrying out the policy set forth in section 2 of this Act and in accomplishing the purposes set forth in section 201(b) of this Act;

(2) submit to the Council and the Governor of each participating State a report on its work at least once each year. Such report shall be transmitted through the President to the Congress. After such transmission, copies of any such report shall be sent to the heads of such Federal, State, interstate, and international agencies as the President or the Governors of the participating States may direct;

(3) submit to the Council for transmission to the President and by him to the Congress, and the Governors and the legislatures of the participating States a comprehensive, coordinated, joint plan, or any major portion thereof or necessary revisions thereof, for water and related land resources development in the area, river basin, or group of river basins for which such commission was established. Before the commission submits such a plan or major portion thereof or revision thereof to the Council, it shall transmit the proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and each interstate agency, from which a member of the commission has been appointed, and to the head of the United States section of any international commission if the plan, portion, or revision deals with a boundary water or a river crossing a boundary, or any tributary flowing into such boundary water or river, over which the international commission has jurisdiction or for which it has responsibility. Each such department and agency head, Governor, interstate agency, and United States section of an international commission shall have ninety days from the date of the receipt of the proposed plan, portion, or revision to report its views, comments, and recommendations to the commission. The commission may modify the plan, portion, or revision after considering the reports so submitted. The views, comments, and recommendations submitted by each Federal department or agency head, Governor, interstate agency, and United States section of an international commission shall be transmitted to the Council with the plan, portion, or revision; and

(4) submit to the Council at the time of submitting such plan, any recommendations it may have for continuing the functions of the commission and for implementing the plan, including means of keeping the plan up to date.

Powers and administrative provisions of the commissions

SEC. 205. (a) For the purpose of carrying out the provisions of this title, each river basin commission may—

(1) hold such hearings, sit and act at such

times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable;

(2) acquire, furnish, and equip such office space as is necessary;

(3) use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States;

(4) employ and compensate such personnel as it deems advisable, including consultants, at rates not to exceed \$100 per diem;

(5) arrange for the services of personnel from any State or the United States, or any subdivision or agency thereof, or any intergovernmental agency;

(6) make arrangements, including contracts, with any participating government, except the United States or the District of Columbia, for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for or continuing in another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel;

(7) purchase, hire, operate, and maintain passenger motor vehicles; and

(8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) The chairman of a river basin commission, or any member of such commission designated by the chairman thereof for the purpose, is authorized to administer oaths when it is determined by a majority of the commission that testimony shall be taken or evidence received under oath.

(c) To the extent permitted by law, all appropriate records and papers of each river basin commission shall be made available for public inspection during ordinary office hours.

(d) Upon request of the chairman of any river basin commission, or any member or employee of such commission designated by the chairman thereof for the purpose, the head of any Federal department or agency is authorized (1) to furnish to such commission such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency; and (2) to detail to temporary duty with such commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The chairman of each river basin commission shall, in accordance with the general policies of such commission with respect to the work to be accomplished by it and the timing thereof, be responsible for (1) the appointment and supervision of personnel employed by such commission, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds available to such commission.

Compensation of commission members

SEC. 206. (a) Any member of a river basin commission appointed pursuant to section 202 (b) and (e) of this Act, shall receive no additional compensation by virtue of his membership on the commission, but shall continue to receive, from appropriations made for the agency from which he is appointed, the salary of his regular position when engaged in the performance of the duties vested in the commission.

(b) Members of a commission, appointed pursuant to section 202 (c) and (d) of this Act, shall each receive such compensation as may be provided by the States or the

interstate agency respectively, which they represent.

(c) The per annum compensation of the chairman of each river basin commission shall be determined by the President, but when employed on a full-time annual basis shall not exceed the maximum scheduled rate for grade GS-18 of the Classification Act of 1949, as amended; or when engaged in the performance of the commission's duties on an intermittent basis such compensation shall be not more than \$100 per day and shall not exceed \$12,000 in any year.

SEC. 207. (a) Each commission shall recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission's expenses shall be otherwise apportioned as the commission may determine. Each commission shall prepare a budget annually and transmit it to the Council and the States. Estimates of proposed appropriations from the Federal Government shall be included in the budget estimates submitted by the Council under the Budgeting and Accounting Act of 1921, as amended, and may include an amount for advance to a commission against State appropriations for which delay is anticipated by reason of later legislative sessions. All sums appropriated to or otherwise received by a commission shall be credited to the commission's account in the Treasury of the United States.

(b) A commission may accept for any of its purposes and functions, appropriations, donations, and grants of money, equipment, supplies, materials, and services from any State or the United States or any subdivision or agency thereof, or intergovernmental agency, and may receive, utilize, and dispose of the same.

(c) The commission shall keep accurate accounts of all receipts and disbursements. The accounts shall be audited at least annually in accordance with generally accepted auditing standards by independent certified or licensed public accountants, certified or licensed by a regulatory authority of a State, and the report of the audit shall be included in and become a part of the annual report of the commission.

(d) The accounts of the commission shall be open at all reasonable times for inspection by representatives of the jurisdictions and agencies which make appropriations, donations, or grants to the commission.

TITLE III—FINANCIAL ASSISTANCE TO THE STATES FOR COMPREHENSIVE PLANNING GRANT AUTHORIZATIONS

SEC. 301. (a) In recognition of the need for increased participation by the States in water and related land resources planning to be effective, there are hereby authorized to be appropriated to the Council for the next fiscal year beginning after the date of enactment of this Act, and for the nine succeeding fiscal years thereafter, \$5,000,000 in each such year for grants to States to assist them in developing and participating in the development of comprehensive water and related land resources plans.

(b) The Council with the approval of the President, shall prescribe such rules, establish such procedures, and make such arrangements and provisions relating to the performance of its functions under this title, and the use of funds available therefor, as may be necessary in order to assure (1) coordination of the program authorized by this title with related Federal planning assistance programs, including the program authorized under section 701 of the Housing Act of 1954 and (2) appropriate utilization of other Federal agencies administering programs which may contribute to achieving the purpose of this Act.

Allotments

SEC. 302. (a) From the sums appropriated pursuant to section 301 for any fiscal year

the Council shall from time to time make allotments to the States, in accordance with its regulations on the basis of (1) the population, (2) the land area, (3) the need for comprehensive water and related land resources planning programs, and (4) the financial need of the respective States. For the purposes of this section the population of the States shall be determined on the basis of the latest estimates available from the Department of Commerce and the land area of the States shall be determined on the basis of the official records of the United States Geological Survey.

(b) From each State's allotment under this section for any fiscal year the Council shall pay to such State an amount which is not more than 50 per centum of the cost of carrying out its State program approved under section 303, including the cost of training personnel for carrying out such program and the cost of administering such program.

State programs

SEC. 303. The Council shall approve any program for comprehensive water and related land resources planning which is submitted by a State, if such program—

(1) provides for comprehensive planning with respect to intrastate or interstate water resources, or both, in such State to meet the needs for water and water related activities taking into account prospective demands for all purposes served through or affected by water and related land resources development, with adequate provision for coordination with all Federal, State, and local agencies having responsibilities in affected fields;

(2) provides, where comprehensive statewide development planning is being carried on with or without assistance under section 701 of the Housing Act of 1954, for full coordination between comprehensive water resources planning and other statewide planning programs and for assurances that such water resources planning will be in conformity with the general development policy in such State;

(3) designates a State agency (hereinafter referred to as the "State agency") to administer the program;

(4) provides that the State agency will make such reports in such form and containing such information as the Council from time to time reasonably requires to carry out its functions under this title;

(5) sets forth the procedure to be followed in carrying out the State program and in administering such program; and

(6) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for keeping appropriate accountability of the funds and for the proper and efficient administration of the program.

The Council shall not disapprove any program without first giving reasonable notice and opportunity for hearing to the State agency administering such program.

Review

SEC. 304. Whenever the Council after reasonable notice and opportunity for hearing to a State agency finds that—

(a) the program submitted by such State and approved under section 303 has been so changed that it no longer complies with a requirement of such section; or

(b) in the administration of the program there is a failure to comply substantially with such a requirement, the Council shall notify such agency that no further payments will be made to the State under this title until it is satisfied that there will no longer be any such failure. Until the Council is so satisfied, it shall make no further payments to such State under this title.

Payments

SEC. 305. The method of computing and paying amounts pursuant to this title shall be as follows:

(1) The Council shall, prior to the beginning of each calendar quarter or other period prescribed by it, estimate the amount to be paid to each State under the provisions of this title for such period, such estimate to be based on such records of the State and information furnished by it, and such other investigation, as the Council may find necessary.

(2) The Council shall pay to the State, from the allotment available therefor, the amount so estimated by it for any period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which it finds that its estimate of the amount to be paid such State for any prior period under this title was greater or less than the amount which should have been paid to such State for such prior period under this title. Such payments shall be made through the disbursing facilities of the Treasury Department, at such times and in such installments as the Council may determine.

Definition

SEC. 306. For the purpose of this title the term "State" means a State, the District of Columbia, Puerto Rico, or the Virgin Islands.

SEC. 307. (a) Each recipient of a grant under this Act shall keep such records as the Chairman of the Council shall prescribe, including records which fully disclose the amount and disposition of the funds received under the grant, and the total cost of the project or undertaking in connection with which the grant was made and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Chairman of the Council and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant that are pertinent to the determination that funds granted are used in accordance with this Act.

TITLE IV—MISCELLANEOUS

Authorization of appropriations

SEC. 402. The Council is authorized to make such rules sums as may be necessary to carry out the provisions of titles I and II and the administration of title III.

Rules and regulations

SEC. 402. The Council is authorized to make such rules and regulations as it may deem necessary or appropriate for carrying out this provisions of this Act which are administered by it.

Delegation of functions

SEC. 403. The Council is authorized to delegate to any member or employee of the Council its administrative functions under section 105 and the detailed administration of the grant program under title III.

Utilization of personnel

SEC. 404. The Council may, with the consent of the head of any other department or agency of the United States, utilize such officers and employees of such agency on a reimbursable basis as are necessary to carry out the provisions of this Act.

Mr. ROGERS of Texas (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and be open for amendment at any point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The Clerk will report the first committee amendment.

Mr. ASPINALL. Mr. Chairman, I ask unanimous consent that the commit-

tee amendments be considered en bloc and that they be open for amendment.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read the following committee amendments:

Page 2, lines 2 to 8, inclusive, strike out all of section 2 and insert the following:

"Sec. 2. In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprise with the cooperation of all affected Federal agencies, States, local governments, individuals, corporations, business enterprises, and others concerned."

Page 2, lines 20 to 23, inclusive, strike out all of subsection (b) and insert the following:

"(b) to change or otherwise affect the authority or responsibility of any Federal official in the discharge of the duties of his office except as required to carry out the provisions of this Act with respect to the preparation and review of comprehensive regional or river basin plans and the formulation and evaluation of Federal water and related land resources projects;"

Page 3, line 7, change the period to a semicolon.

Page 3, after line 7, add a new subsection to read as follows:

"(d) to deprive any court of the United States or of any State of jurisdiction over a matter in controversy affecting water or any water course."

Page 3, line 15, after the word "other" insert "Federal".

Page 3, lines 20 to 24, inclusive, strike out all of subsection (a) and insert the following:

"(a) maintain a continuing study and prepare an assessment biennially, or at such less frequent intervals as the Council may determine, of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and"

Page 4, line 10, after "establish," insert "after public notice and hearing, and".

Page 4, line 21, strike out "204(a) (3)" and insert "204(3)".

Page 7, line 12, strike out "SEC. 201. (e)" and insert "SEC. 201. (a)".

Page 7, line 23, to page 8, line 2, inclusive, strike out "or, in the event the Upper Colorado River Basin is involved, by at least three of the four States of Colorado, New Mexico, Utah, and Wyoming." and insert the following: "and, in the event the Upper Colorado River Basin is involved, by at least three of the four States of Colorado, New Mexico, Utah, and Wyoming or, in the event the Columbia River Basin is involved, by at least three of the four States of Idaho, Montana, Oregon, and Washington."

Page 8, line 7, strike out "and local" and insert "local and nongovernmental".

Page 8, line 12, strike out "and local" and insert "local and nongovernmental".

Page 10, lines 22 and 23, strike out "agreement" and insert "decision".

Page 11, line 4, strike out "resource" and insert "resources".

Page 18, line 22, strike out "State" and insert "State".

Page 21, line 8, after "agencies" insert ", and nongovernmental entities".

Page 21, line 13, after "1954," insert "or under the Land and Water Conservation Fund Act of 1965,".

Page 23, between lines 23 and 24, insert the heading "RECORDS".

Page 24, lines 17 through 19, strike out all of section 402 and insert in lieu thereof:

"Sec. 401. There are authorized to be appropriated not to exceed \$150,000 annually to carry out the provisions of title I of this Act, \$6,000,000 annually to carry out the provisions of title II, and \$400,000 annually for the administration of III; *Provided*, That, with respect to title II, not more than \$750,000 annually shall be available for any single river basin commission."

Mr. ASPINALL (during the reading of the committee amendments). Mr. Chairman, it is pretty well agreed what the committee amendments are and I ask unanimous consent that they be considered as read.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

AMENDMENT OFFERED BY MR. BOW

Mr. BOW. Mr. Chairman, I offer an amendment to the committee amendment, on page 26 of the bill.

The Clerk reads as follows:

Amendment offered by Mr. Bow to the committee amendment: On page 26, line 8, after the word "Act" insert "not to exceed" and in line 9, after the word "and" insert "not to exceed".

The CHAIRMAN. The gentleman from Ohio [Mr. Bow] is recognized in support of his amendment.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. ASPINALL. This was the intent of the committee and we are agreeable to accepting the amendment on this side.

Mr. BOW. I appreciate the gentleman's statement.

Mr. HOSMER. Mr. Chairman, we accept the amendment on this side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. Bow] to the committee amendment.

The amendment to the committee amendment was agreed to.

The CHAIRMAN. The question is on the committee amendments.

The committee amendments were agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. DADDARIO, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1111) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning, pursuant to House Resolution 309, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mrs. REID of Illinois. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 383, nays 0, not voting 53, as follows:

[Roll No. 58]

YEAS—383

| | | |
|--------------------|-----------------|-----------------|
| Abbitt | Colmer | Grabowski |
| Abernethy | Conable | Gray |
| Adair | Conte | Green, Oreg. |
| Adams | Conyers | Green, Pa. |
| Addabbo | Corbett | Greigg |
| Albert | Corman | Grider |
| Anderson, Ill. | Craley | Griffin |
| Anderson, Tenn. | Cramer | Gross |
| Andrews, George W. | Culver | Grover |
| Andrews, N. Dak. | Cunningham | Gubser |
| Annunzio | Curtin | Gurney |
| Arends | Daddario | Hagan, Ga. |
| Ashbrook | Dague | Hagen, Calif. |
| Ashmore | Daniels | Haley |
| Aspinall | Davis, Ga. | Hall |
| Bandstra | Davis, Wis. | Halleck |
| Baring | Dawson | Halpern |
| Barrett | de la Garza | Hamilton |
| Bates | Delaney | Hanley |
| Battin | Dent | Hanna |
| Beckworth | Denton | Hansen, Idaho |
| Belcher | Derwinski | Hansen, Iowa |
| Bell | Devine | Hansen, Wash. |
| Bennett | Dickinson | Hardy |
| Berry | Diggs | Harris |
| Betts | Dingell | Harsha |
| Bingham | Dole | Harvey, Ind. |
| Blatnik | Donohue | Harvey, Mich. |
| Boggs | Dorn | Hathaway |
| Boland | Dow | Hays |
| Bolling | Dowdy | Hechler |
| Bolton | Downing | Helstoski |
| Bow | Dulski | Henderson |
| Brademas | Duncan, Oreg. | Herlong |
| Bray | Duncan, Tenn. | Hicks |
| Brock | Dwyer | Holifield |
| Brooks | Dyal | Horton |
| Broomfield | Edmondson | Hosmer |
| Brown, Calif. | Edwards, Ala. | Howard |
| Brown, Ohio | Edwards, Calif. | Hull |
| Broyhill, N.C. | Ellsworth | Hungate |
| Broyhill, Va. | Erlenborn | Huot |
| Buchanan | Evans, Colo. | Hutchinson |
| Burke | Farbstein | Ichord |
| Burleson | Farnum | Irwin |
| Burton, Calif. | Fascell | Jarman |
| Burton, Utah | Feighan | Jennings |
| Byrne, Pa. | Findley | Joelson |
| Byrnes, Wis. | Fino | Johnson, Calif. |
| Cabell | Fisher | Johnson, Okla. |
| Cahill | Flynt | Johnson, Pa. |
| Callan | Fogarty | Jonas |
| Callaway | Foley | Jones, Mo. |
| Cameron | Ford, Gerald R. | Karsten |
| Carey | Ford, | Karth |
| Carter | William D. | Kee |
| Cederberg | Fountain | Keith |
| Celler | Fraser | Kelly |
| Chamberlain | Frelinghuysen | Keogh |
| Chelf | Friedel | King, Calif. |
| Clancy | Fulton, Pa. | King, N.Y. |
| Clark | Fuqua | King, Utah |
| Clawson, Del. | Gallagher | Kirwan |
| Cleveland | Gathings | Kornegay |
| Clevenger | Gettys | Krebs |
| Cohelan | Glimo | Kunkel |
| Collier | Gilbert | Laird |
| | Gilligan | Langen |
| | Gonzalez | Latta |
| | Goodell | Leggett |

| | | |
|---------------|----------------|-----------------|
| Lennon | O'Neill, Mass. | Sickles |
| Lindsay | Ottinger | Sikes |
| Lipscomb | Passman | Sisk |
| Long La. | Patman | Skubitz |
| Long, Md. | Patten | Slack |
| McCarthy | Pelly | Smith Calif. |
| McClary | Perkins | Smith, N.Y. |
| McCulloch | Philbin | Smith, Va. |
| McDade | Pike | Springer |
| McDowell | Pirnie | Stafford |
| McEwen | Poage | Staggers |
| McFall | Poff | Stalbaum |
| McGrath | Powell | Stanton |
| McVicker | Price | Steed |
| Macdonald | Pucinski | Stephens |
| Machen | Quile | Stratton |
| Mackay | Quillen | Stubblefield |
| Mackie | Race | Sullivan |
| Mahon | Randall | Sweeney |
| Mailliard | Redlin | Talcott |
| Marsh | Reid, Ill. | Taylor |
| Martin, Ala. | Reifel | Teague, Calif. |
| Martin, Nebr. | Reinecke | Teague, Tex. |
| Mathias | Reuss | Tenzer |
| Matsunaga | Rhodes, Ariz. | Thompson, N.J. |
| Matthews | Rhodes, Pa. | Thompson, Tex. |
| May | Rivers, Alaska | Thomson, Wis. |
| Meeds | Rivers, S.C. | Trimble |
| Miller | Roberts | Tuck |
| Mills | Robison | Tunney |
| Mlinish | Rodino | Tupper |
| Mink | Rogers, Colo. | Tuten |
| Minshall | Rogers, Fla. | Udall |
| Mize | Rogers, Tex. | Ullman |
| Moeller | Ronan | Utt |
| Monagan | Roncalio | Van Deerlin |
| Moorhead | Rooney, N.Y. | Vanik |
| Morgan | Rooney, Pa. | Vigorito |
| Morris | Rosenthal | Vivian |
| Morrison | Rostenkowski | Waggonner |
| Morse | Roudebush | Walker, Miss. |
| Morton | Roush | Walker, N. Mex. |
| Mosher | Roybal | Weltner |
| Moss | Rumsfeld | Whalley |
| Multer | Ryan | White, Idaho |
| Murphy, Ill. | Satterfield | White, Tex. |
| Murphy, N.Y. | St. Onge | Whitener |
| Murray | Saylor | Whitten |
| Natcher | Scheuer | Widnall |
| Nedzi | Schlesier | Williams |
| Nelsen | Schmidhauser | Wilson, Bob |
| Nix | Schneebell | Wolf |
| O'Brien | Schweiker | Wright |
| O'Hara, Ill. | Scott | Wyatt |
| O'Hara, Mich. | Secrest | Wydler |
| O'Konski | Selden | Yates |
| Olsen, Mont. | Senner | Young |
| Olson, Minn. | Shipley | Younger |
| O'Neal, Ga. | Shriver | Zablocki |

NAYS—0

NOT VOTING—53

| | | |
|---------------|---------------|---------------|
| Andrews, | Gibbons | Pickle |
| Glenn | Griffiths | Pool |
| Ashley | Hawkins | Purcell |
| Ayres | Hébert | Reid, N.Y. |
| Baldwin | Holland | Resnick |
| Bonner | Jacobs | Roosevelt |
| Casey | Jones, Ala. | St Germain |
| Clausen, | Kastenmeier | Smith, Iowa |
| Don H. | Kluczynski | Thomas |
| Cooley | Landrum | Thompson, La. |
| Curtis | Love | Todd |
| Everett | McMillan | Toll |
| Evins, Tenn. | MacGregor | Watkins |
| Fallon | Madden | Watts |
| Farnsley | Martin, Mass. | Willis |
| Flood | Michel | Wilson, |
| Fulton, Tenn. | Moore | Charles H. |
| Garmatz | Pepper | |

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Martin of Massachusetts.
 Mr. Cooley with Mr. Moore.
 Mr. Toll with Mr. Watkins.
 Mr. Evins with Mr. Andrews of Alabama.
 Mr. Garmatz with Mr. Ayres.
 Mr. Roosevelt with Mr. Reid of New York.
 Mr. Fallon with Mr. Michel.
 Mr. Bonner with Mr. Curtis.
 Mr. Kastenmeier with Mr. MacGregor.
 Mr. Pepper with Mr. McMillan.
 Mr. Todd with Mr. Kluczynski.
 Mr. Everett with Mr. St Germain.
 Mr. Jones of Alabama with Mr. Farnsley.
 Mr. Willis with Mrs. Griffiths.

Mr. Charles H. Wilson with Mr. Don H. Clausen.

Mr. Madden with Mr. Thomas.
 Mr. Hawkins with Mr. Ashley.
 Mr. Landrum with Mr. Holland.
 Mr. Casey with Mr. Resnick.
 Mr. Flood with Mr. Fuiton of Tennessee.
 Mr. Smith of Iowa with Mr. Purcell.
 Mr. Pool with Mr. Jacobs.
 Mr. Watts with Mr. Pickle.
 Mr. Love with Mr. Gibbons.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. ROGERS of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 21) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning, a bill similar to the one just passed by the House.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

S. 21

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Water Resources Planning Act".

Statement of policy

SEC. 2. In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis with the cooperation of all affected Federal agencies, States, local governments, and others concerned.

Effect on existing laws

SEC. 3. Nothing in this Act shall be construed—

(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit, or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

(b) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources, or to exercise licensing or regulatory functions in relation thereto; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or of the International Boundary and Water Commission, United States and Mexico.

TITLE I—WATER RESOURCES COUNCIL

SEC. 101. There is hereby established a Water Resources Council (hereinafter referred to as the "Council") which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Chairman of the Council shall request the heads of other agencies to participate with the Council when matters affecting their responsibilities are considered by the Council. The Chairman of the Council shall be designated by the President.

SEC. 102. The Council shall—

(a) maintain a continuing study and prepare a biennial, or at such less frequent intervals as the Council may determine, assessment of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and

(b) maintain a continuing study of the relation of regional or river basin plans and programs to the requirements of larger regions of the Nation, and of the adequacy of administrative and statutory means for the coordination of the water and related land resources policies and programs of the several Federal agencies; it shall appraise the adequacy of existing and proposed policies and programs to meet such requirements; and it shall make recommendations to the President with respect to Federal policies and programs.

SEC. 103. The Council shall establish, with the approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects. Such procedures may include provision for Council revision of plans for Federal projects intended to be proposed in any plan or revision thereof being prepared by a river basin planning commission.

SEC. 104. Upon receipt of a plan or revision thereof from any river basin commission under the provisions of section 204(3) of this Act, the Council shall review the plan or revision with special regard to—

(1) the efficacy of such plan or revision in achieving optimum use of the water and related land resources in the area involved;

(2) the effect of the plan on the achievement of other programs for the development of agricultural, urban, energy, industrial, recreational, fish and wildlife, and other resources of the entire Nation; and

(3) the contributions which such plan or revision will make in obtaining the Nation's economic and social goals.

Based on such review the Council shall—

(a) formulate such recommendations as it deems desirable in the national interest; and

(b) transmit its recommendations, together with the plan or revision of the river basin commission, and the views, comments, and recommendations with respect to such plan or revision submitted by any Federal agency, Governor, interstate commission, or United States section of an international commission, to the President for his review and transmittal to the Congress with his recommendations in regard to authorization of Federal projects.

SEC. 105. (a) For the purpose of carrying out the provisions of this Act, the Council may: (1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the

United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) employ and fix the compensation of such personnel as it deems advisable, in accordance with the civil service laws and Classification Act of 1949, as amended; (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates not to exceed \$100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; and (7) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) Any member of the Council is authorized to administer oaths when it is determined by a majority of the Council that testimony shall be taken or evidence received under oath.

(c) To the extent permitted by law, all appropriate records and papers of the Council may be made available for public inspection during ordinary office hours.

(d) Upon request of the Council, the head of any Federal department or agency is authorized (1) to furnish to the Council such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such Council on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The Council shall be responsible for (1) the appointment and supervision of personnel, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds.

TITLE 11—RIVER BASIN COMMISSIONS

Creation of commissions

SEC. 201. (a) The President is authorized to declare the establishment of a river basin water and related land resources commission upon request therefor by the Council, or request addressed to the Council by a State within which all or part of the basin or basins concerned are located if the request by the Council or by a State (1) defines the area, river basin, or group of related river basins for which a commission is requested, (2) is made in writing by the Governor or in such manner as State law may provide, or by the Council, and (3) is concurred in by the Council and by not less than one-half of the States within which portions of the basin or basins concerned are located: *Provided*, That for the purposes of this Act, the Upper Colorado River Basin shall be considered a separate river basin. Such concurrences shall be in writing.

(b) Each such commission for an area, river basin, or group of river basins shall, to the extent consistent with section 3 of this Act—

(1) serve as the principal agency for the coordination of Federal, State, interstate, and local plans for the development of water and related land resources in its area, river basin, or group of river basins;

(2) prepare and keep up to date, to the extent practicable, a comprehensive, coordinated, joint plan for Federal, State, interstate, and local development of water and related resources: *Provided*, That the plan shall include an evaluation of all reasonable alternative means of achieving optimum development of water and related land resources of the basin or basins, and it may be prepared in stages, including recommendations with respect to individual projects;

(3) recommend long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and

(4) foster and undertake such studies of water and related land resources problems in its area, river basin, or group of river basins as are necessary in the preparation of the plan described in clause (2) of this subsection.

(c) The provisions of this title II shall not apply in the Columbia River Basin.

Membership of Commissions

SEC. 202. Each river basin commission shall be composed of members appointed as follows:

(a) A chairman appointed by the President who shall also serve as chairman and coordinating officer of the Federal members of the commission and who shall represent the Federal Government in Federal-State relations on the commission and who shall not, during the period of his service on the commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the Federal Government;

(b) One member from each Federal department or independent agency determined by the President to have a substantial interest in the work to be undertaken by the commission, such member to be appointed by the head of such department or independent agency and to serve as the representative of such department or independent agency;

(c) One member from each State which lies wholly or partially within the area, river basin, or group of river basins for which the commission is established, and the appointment of each such member shall be made in accordance with the laws of the State which he represents. In the absence of governing provisions of State law, such State members shall be appointed and serve at the pleasure of the Governor;

(d) One member appointed by any interstate agency created by an interstate compact to which the consent of Congress has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is created;

(e) When deemed appropriated by the President, one member, who shall be appointed by the President, from the United States section of any international commission created by a treaty to which the consent of the Senate has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is established.

Organization of Commissions

SEC. 203. (a) Each river basin commission shall organize for the performance of its functions within ninety days after the President shall have declared the establishment of such commission, subject to the availability of funds for carrying on its work. A commission shall terminate upon agreement of the Council or agreement of a majority of the States composing the commission. Upon such termination, all property, assets, and records of the commission shall thereafter be turned over to such agencies of the United States and the participating States as shall be appropriate in the circumstances: *Provided*, That studies, data, and other materials useful in water and related land resource planning to any of the participants shall be kept freely available to all such participants.

(b) State members of each commission shall elect a vice chairman, who shall serve also as chairman and coordinating officer of the State members of the commission and who shall represent the State governments in Federal-State relations on the commission.

(c) Vacancies in a commission shall not affect its powers but shall be filled in the same manner in which the original appointments were made: *Provided*, That the chairman and vice chairman may designate alternates to act for them during temporary absences.

(d) In the work of the commission every reasonable endeavor shall be made to arrive at a consensus of all members on all issues; but failing this, full opportunity shall be afforded each member for the presentation and report of individual views: *Provided*, That at any time the commission fails to act by reason of absence of consensus, the position of the chairman, acting in behalf of the Federal members, and the vice chairman, acting upon instructions of the State members, shall be set forth in the record: *Provided further*, That the chairman, in consultation with the vice chairman, shall have the final authority, in the absence of an applicable by-law adopted by the commission or in the absence of a consensus, to fix the times and places for meetings, to set deadlines for the submission of annual and other reports, to establish subcommittees, and to decide such other procedural questions as may be necessary for the commission to perform its functions.

Duties of the Commissions

SEC. 204. Each river basin commission shall—

(1) engage in such activities and make such studies and investigations as are necessary and desirable in carrying out the policy set forth in section 2 of this Act and in accomplishing the purposes set forth in section 201(b) of this Act;

(2) submit to the Council and the Governor of each participating State a report on its work at least once each year. Such report shall be transmitted through the President to the Congress. After such transmission, copies of any such report shall be sent to the heads of such Federal, State, interstate, and international agencies as the President or the Governors of the participating States may direct;

(3) submit to the Council for transmission to the President and by him to the Congress, and the Governors and the legislatures of the participating States a comprehensive, coordinated, joint plan, or any major portion thereof or necessary revisions thereof, for water and related land resources development in the area, river basin, or group of river basins for which such commission was established. Before the commission submits such a plan or major portion thereof or revision thereof to the Council, it shall transmit the proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and each interstate agency, from which a member of the commission has been appointed, and to the head of the United States section of any international commission if the plan, portion or revision deals with a boundary water or a river crossing a boundary, or any tributary flowing into such boundary water or river, over which the international commission has jurisdiction or for which it has responsibility. Each such department and agency head, Governor, interstate agency, and United States section of an international commission shall have ninety days from the date of the receipt of the proposed plan, portion or revision to report its views, comments, and recommendations to the commission. The commission may modify the plan, portion or revision after considering the reports so submitted. The views, comments, and recommendations submitted by each Federal department or agency head, Governor, interstate agency, and United States section of an international commission shall be transmitted to the Council with the plan, portion or revision; and

(4) submit to the Council at the time of submitting such plan, any recommendations it may have for continuing the functions of the commission and for implementing the plan, including means of keeping the plan up to date.

Powers and administrative provisions of the Commissions

SEC. 205. (a) For the purpose of carrying out the provisions of this title, each river basin commission may—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable;

(2) acquire, furnish, and equip such office space as is necessary;

(3) use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States;

(4) employ and compensate such personnel as it deems advisable, including consultants, at rates not to exceed \$100 per diem;

(5) arrange for the services of personnel from any State or the United States, or any subdivision or agency thereof, or any intergovernmental agency;

(6) make arrangements, including contracts, with any participating government, except the United States or the District of Columbia, for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for or continuing in another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel;

(7) purchase, hire, operate, and maintain passenger motor vehicles; and

(8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) The chairman of a river basin commission, or any member of such commission designated by the chairman thereof for the purpose, is authorized to administer oaths when it is determined by a majority of the commission that testimony shall be taken or evidence received under oath.

(c) To the extent permitted by law, all appropriate records and papers of each river basin commission shall be made available for public inspection during ordinary office hours.

(d) Upon request of the chairman of any river basin commission, or any member or employee of such commission designated by the chairman thereof for the purpose, the head of any Federal department or agency is authorized (1) to furnish to such commission such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The chairman of each river basin commission, with the approval of the vice chairman, in accordance with the general policies of such commission with respect to the work to be accomplished by it and the timing thereof, shall be responsible for (1) the appointment and supervision of personnel employed by such commission, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds available to such commission.

Compensation of commission members

SEC. 206. (a) Any member of a river basin commission appointed pursuant to section 202 (b) and (c) of this Act shall receive no additional compensation by virtue of his membership on the commission, but shall continue to receive, from appropriations made for the agency from which he is appointed, the salary of his regular position

when engaged in the performance of the duties vested in the commission.

(b) Members of a commission, appointed pursuant to section 202 (c) and (d) of this Act, shall each receive such compensation as may be provided by the States or the interstate agency respectively, which they represent.

(c) The per annum compensation of the chairman of each river basin commission shall be determined by the President, but when employed on a full-time annual basis shall not exceed the maximum scheduled rate for grade GS-18 of the Classification Act of 1949, as amended; or when engaged in the performance of the commission's duties on an intermittent basis such compensation shall be not more than \$100 per day and shall not exceed \$12,000 in any year.

SEC. 207. (a) Each commission shall recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission's expenses shall be otherwise apportioned as the commission may determine. Each commission shall prepare a budget annually and transmit it to the Council and the States. Estimates of proposed appropriations from the Federal Government shall be included in the budget estimates submitted by the Council under the Budgeting and Accounting Act of 1921, as amended, and may include an amount for advance to a commission against State appropriations for which delay is anticipated by reason of later legislative sessions. All sums appropriated to or otherwise received by a commission shall be credited to the commission's account in the Treasury of the United States.

(b) A commission may accept for any of its purposes and functions appropriations, donations, and grants of money, equipment, supplies, materials, and services from any State or the United States or any subdivision or agency thereof, or intergovernmental agency, and may receive, utilize, and dispose of the same.

(c) The commission shall keep accurate accounts of all receipts and disbursements. The account shall be audited at least annually in accordance with generally accepted auditing standards by independent certified or licensed public accountants, certified or licensed by a regulatory authority of a State, and the report of the audit shall be included in and become a part of the annual report of the commission.

(d) The accounts of the commission shall be open at all reasonable times for inspection by representatives of the jurisdictions and agencies which make appropriations, donations, or grants to the commission.

TITLE III—FINANCIAL ASSISTANCE TO THE STATES FOR COMPREHENSIVE PLANNING GRANT AUTHORIZATIONS

SEC. 301. (a) In recognition of the need for increased participation by the States in water and related land resources planning to be effective, there are hereby authorized to be appropriated to the Council for the next fiscal year beginning after the date of enactment of this Act, and for the nine succeeding fiscal years thereafter, \$5,000,000 in each such year for grants to States to assist them in developing and participating in the development of comprehensive water and related land resources plans.

(b) The Council, with the approval of the President, shall prescribe such rules, establish such procedures, and make such arrangements and provisions relating to the performance of its functions under this title, and the use of funds available therefor, as may be necessary in order to assure (1) coordination of the program authorized by this title with related Federal planning assistance programs, including the program authorized under section 701 of the Housing Act of 1954 and (2) appropriate utilization

of other Federal agencies administering programs which may contribute to achieving the purpose of this Act.

Allotments

SEC. 302. (a) From the sums appropriated pursuant to section 301 for any fiscal year the Council shall from time to time make allotments to the States, in accordance with its regulations on the basis of (1) the population, (2) the land area, (3) the need for comprehensive water and related land resources planning programs, and (4) the financial need of the respective States. For the purposes of this section the population of the States shall be determined on the basis of the latest estimates available from the Department of Commerce and the land area of the States shall be determined on the basis of the official records of the United States Geological Survey.

(b) From each State's allotment under this section for any fiscal year the Council shall pay to such State an amount which is not more than 50 per centum of the cost of carrying out its State program approved under section 303, including the cost of training personnel for carrying out such program and the cost of administering such program.

State programs

SEC. 303. The Council shall approve any program for comprehensive water and related land resources planning which is submitted by a State, if such program—

(1) provides for comprehensive planning with respect to intrastate or interstate water resources, or both, in such State to meet the needs for water and water related activities taking into account prospective demands for all purposes served through or affected by water and related land resources development, with adequate provision for coordination with all Federal, State, and local agencies having responsibilities in affected fields;

(2) provides, where comprehensive statewide development planning is being carried on with or without assistance under section 701 of the Housing Act of 1954, for full coordination between comprehensive water resources planning and other statewide planning programs and for assurances that such water resources planning will be in conformity with the general development policy in such State;

(3) designates a State agency (hereinafter referred to as the "State agency") to administer the program;

(4) provides that the State agency will make such reports in such form and containing such information as the Council from time to time reasonably requires to carry out its functions under this title;

(5) sets forth the procedure to be followed in carrying out the State program and in administering such program; and

(6) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for keeping appropriate accountability of the funds and for the proper and efficient administration of the program. The Council shall not disapprove any program without first giving reasonable notice and opportunity for hearing to the State agency administering such program.

Review

SEC. 304. Whenever the Council after reasonable notice and opportunity for hearing to a State agency finds that—

(a) the program submitted by such State and approved under section 303 has been so changed that it no longer complies with a requirement of such section; or

(b) in the administration of the program there is a failure to comply substantially with such a requirement, the Council shall notify such agency that no further payments will be made to the State under this title until it is satisfied that there will no longer be any such failure. Until the Coun-

cil is so satisfied, it shall make no further payments to such State under this title.

Payments

SEC. 305. The method of computing and paying amounts pursuant to this title shall be as follows:

(1) The Council shall, prior to the beginning of each calendar quarter or other period prescribed by it, estimate the amount to be paid to each State under the provisions of this title for such period, such estimate to be based on such records of the State and information furnished by it, and such other investigation, as the Council may find necessary.

(2) The Council shall pay to the State, from the allotment available therefor, the amount so estimated by it for any period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which it finds that its estimate of the amount to be paid such State for any prior period under this title was greater or less than the amount which should have been paid to such State for such prior period under this title. Such payments shall be made through the disbursing facilities of the Treasury Department, at such times and in such installments as the Council may determine.

Definition

SEC. 306. For the purpose of this title the term "State" means a State, the District of Columbia, Puerto Rico, or the Virgin Islands.

SEC. 307. (a) Each recipient of a grant under this Act shall keep such records as the Chairman of the Council shall prescribe, including records which fully disclose the amount and disposition of the funds received under the grant, and the total cost of the project or undertaking in connection with which the grant was made and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

(b) The Chairman of the Council and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant that are pertinent to the determination that funds granted are used in accordance with this Act.

TITLE IV—MISCELLANEOUS

Authorization of appropriations

SEC. 401. There are authorized to be appropriated such sums, not to exceed \$10,000,000 annually, as may be necessary to carry out the provisions of titles I and II and the administration of title III.

Rules and regulations

SEC. 402. The Council is authorized to make such rules and regulations as it may deem necessary or appropriate for carrying out those provisions of this Act which are administered by it.

Delegation of functions

SEC. 403. The Council is authorized to delegate to any member or employee of the Council its administrative functions under section 105 and the detailed administration of the grant program under title III.

Utilization of personnel

SEC. 404. The Council may, with the consent of the head of any other department or agency of the United States, utilize such officers and employees of such agency on a reimbursable basis as are necessary to carry out the provisions of this Act.

AMENDMENT OFFERED BY MR. ROGERS OF TEXAS

Mr. ROGERS of Texas. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROGERS of Texas: Strike out all after the enacting clause of S. 21 and insert the provisions of H.R. 1111 as passed, as follows:

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'Water Resources Planning Act'.

"Statement of policy

"SEC. 2. In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprise with the cooperation of all affected Federal agencies, States, local governments, individuals, corporations, business enterprises, and others concerned.

"Effect on existing laws

"SEC. 3. Nothing in this Act shall be construed—

"(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, or limit any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

"(b) to change or otherwise affect the authority or responsibility of any Federal official in the discharge of the duties of his office except as required to carry out the provisions of this Act with respect to the preparation and review of comprehensive regional or river basin plans and the formulation and evaluation of Federal water and related land resources projects;

"(c) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources, or to exercise licensing or regulatory functions in relation thereto; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, or of the International Boundary and Water Commission, United States and Mexico;

"(d) to deprive any court of the United States or of any State of jurisdiction over a matter in controversy affecting water or any water course.

"TITLE I—WATER RESOURCES COUNCIL

"SEC. 101. There is hereby established a Water Resources Council (hereinafter referred to as the 'Council') which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Chairman of the Council shall request the heads of other Federal agencies to participate with the Council when matters affecting their responsibilities are considered by the Council. The Chairman of the Council shall be designated by the President.

"SEC. 102. The Council shall—

"(a) maintain a continuing study and prepare an assessment biennially, or at such less frequent intervals as the Council may determine, of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and

"(b) maintain a continuing study of the relation of regional or river basin plans and programs to the requirements of larger regions of the Nation, and of the adequacy of

administrative and statutory means for the coordination of the water and related land resources policies and programs of the several Federal agencies; it shall appraise the adequacy of existing and proposed policies and programs to meet such requirements; and it shall make recommendations to the President with respect to Federal policies and programs.

"SEC. 103. The Council shall establish, after public notice and hearing, and with the approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects. Such procedures may include provision for Council revision of plans for Federal projects intended to be proposed in any plan or revision thereof being prepared by a river basin planning commission.

"SEC. 104. Upon the receipt of a plan or revision thereof from any river basin commission under the provisions of section 204(3) of this Act, the Council shall review the plan or revision with special regard to—

"(1) the efficacy of such plan or revision in achieving optimum use of the water and related land resources in the area involved;

"(2) the effect of the plan on the achievement of other programs for the development of agricultural, urban, energy, industrial, recreational, fish and wildlife, and other resources of the entire Nation; and

"(3) the contributions which such plan or revision will make in obtaining the Nation's economic and social goals.

Based on such review the Council shall—

"(a) formulate such recommendations as it deems desirable in the national interest; and

"(b) transmit its recommendations, together with the plan or revision of the river basin commission, and the views, comments, and recommendations with respect to such plan or revision submitted by any Federal agency, Governor, interstate commission, or United States section of an international commission, to the President for his review and transmittal to the Congress with his recommendations in regard to authorization of Federal projects.

"SEC. 105. (a) For the purpose of carrying out the provisions of this Act, the Council may: (1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) employ and fix the compensation of such personnel as it deems advisable, in accordance with the civil service laws and Classification Act of 1949, as amended; (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates not to exceed \$100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; and (7) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

"(b) Any member of the Council is authorized to administer oaths when it is determined by a majority of the Council that testimony shall be taken or evidence received under oath.

"(c) To the extent permitted by law, all appropriate records and papers of the Council may be made available for public inspection during ordinary office hours.

"(d) Upon request of the Council, the head of any Federal department or agency is au-

thorized (1) to furnish to the Council such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such Council on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, such each detail to be without loss of seniority, pay, or other employee status.

"(e) The Council shall be responsible for (1) the appointment and supervision of personnel, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditure of funds.

"TITLE II—RIVER BASIN COMMISSIONS

"Creation of commissions

"SEC. 201. (a) The President is authorized to declare the establishment of a river basin water and related land resources commission upon request therefor by the Council, or request addressed to the Council by a State within which all or part of the basin or basins concerned are located if the request by the Council or by a State (1) defines the area, river basin, or group of related river basins for which a commission is requested (2) is made in writing by the Governor or in such manner as State law may provide, or by the Council, and (3) is concurred in by the Council and by not less than one-half of the States within which portions of the basin or basins concerned are located and, in the event the Upper Colorado River Basin is involved, by at least three of the four States of Colorado, New Mexico, Utah, and Wyoming or, in the event the Columbia River Basin is involved, by at least three of the four States of Idaho, Montana, Oregon, and Washington. Such concurrences shall be in writing.

"(b) Each such commission for an area, river basin, or group of river basins shall, to the extent consistent with section 3 of this Act—

"(1) serve as the principal agency for the coordination of Federal, State, interstate, local and nongovernmental plans for the development of water and related land resources in its area, river basin, or group of river basins;

"(2) prepare and keep up to date, to the extent practicable, a comprehensive, coordinated, joint plan for Federal, State, interstate, local and nongovernmental development of water and related resources: *Provided*, That the plan shall include an evaluation of all reasonable alternative means of achieving optimum development of water and related land resources of the basin or basins, and it may be prepared in stages, including recommendations with respect to individual projects;

"(3) recommend long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and

"(4) foster and undertake such studies of water and related land resources problems in its area, river basin, or group of river basins as are necessary in the preparation of the plan described in clause (2) of this subsection.

"Membership of commissions

"SEC. 202. Each river basin commission shall be composed of members appointed as follows:

"(a) A chairman appointed by the President who shall also serve as chairman and coordinating officer of the Federal members of the commission and who shall represent the Federal Government in Federal-State relations on the commission and who shall not, during the period of his service on the commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the Federal Government;

"(b) One member from each Federal department or independent agency determined by the President to have a substantial interest in the work to be undertaken by the commission, such member to be appointed by the head of such department or independent agency and to serve as the representative of such department or independent agency;

"(c) One member from each State which lies wholly or partially within the area, river basin, or group of river basins for which the commission is established, and the appointment of each such member shall be made in accordance with the laws of the State which he represents. In the absence of governing provisions of State law, such State members shall be appointed and serve at the pleasure of the Governor;

"(d) One member appointed by any interstate agency created by an interstate compact to which the consent of Congress has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is created;

"(e) When deemed appropriate by the President, one member, who shall be appointed by the President, from the United States section of any international commission created by a treaty to which the consent of the Senate has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is established.

"Organization of Commissions

"SEC. 203. (a) Each river basin commission shall organize for the performance of its functions within ninety days after the President shall have declared the establishment of such commission, subject to the availability of funds for carrying on its work. A commission shall terminate upon decision of the Council or agreement of a majority of the States composing the commission. Upon such termination, all property, assets, and records of the commission shall thereafter be turned over to such agencies of the United States and the participating States as shall be appropriate in the circumstances: *Provided*, That studies, data, and other materials useful in water and related land resources planning to any of the participants shall be kept freely available to all such participants.

"(b) State members of each commission shall elect a vice chairman, who shall serve also as chairman and coordinating officer of the State members of the commission and who shall represent the State governments in Federal-State relations on the commission.

"(c) Vacancies in a commission shall not affect its powers but shall be filled in the same manner in which the original appointments were made: *Provided*, That the chairman and vice chairman may designate alternates to act for them during temporary absences.

"(d) In the work of the commission every reasonable endeavor shall be made to arrive at a consensus of all members on all issues; but failing this, full opportunity shall be afforded each member for the presentation and report of individual views: *Provided*, That at any time the commission fails to act by reason of absence of consensus, the position of the chairman, acting in behalf of the Federal members, and the vice chairman, acting upon instructions of the State members, shall be set forth in the record: *Provided further*, That the chairman, in consultation with the vice chairman, shall have the final authority, in the absence of an applicable bylaw adopted by the commission or in the absence of a consensus, to fix the times and places for meetings, to set deadlines for the submission of annual and other reports, to establish subcommittees, and to decide

such other procedural questions as may be necessary for the commission to perform its functions.

"Duties of the commissions

"SEC. 204. Each river basin commission shall—

"(1) engage in such activities and make such studies and investigations as are necessary and desirable in carrying out the policy set forth in section 2 of this Act and in accomplishing the purposes set forth in section 201(b) of this Act;

"(2) submit to the Council and the Governor of each participating State a report on its work at least once each year. Such report shall be transmitted through the President to the Congress. After such transmission, copies of any such report shall be sent to the heads of such Federal, State, interstate, and international agencies as the President or the Governors of the participating States may direct;

"(3) submit to the Council for transmission to the President and by him to the Congress, and the Governors and the legislatures of the participating States a comprehensive, coordinated, joint plan, or any major portion thereof or necessary revisions thereof, for water and related land resources development in the area, river basin, or group of river basins for which such commission was established. Before the commission submits such a plan or major portion thereof or revision thereof to the Council, it shall transmit the proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and each interstate agency, from which a member of the commission has been appointed, and to the head of the United States section of any international commission if the plan, portion, or revision deals with a boundary water or a river crossing a boundary, or any tributary flowing into such boundary water or river, over which the international commission has jurisdiction or for which it has responsibility. Each such department and agency head, Governor, interstate agency, and United States section of an international commission shall have ninety days from the date of the receipt of the proposed plan, portion, or revision to report its views, comments, and recommendations to the commission. The commission may modify the plan, portion, or revision after considering the reports so submitted. The views, comments, and recommendations submitted by each Federal department or agency head, Governor, interstate agency, and United States section of an international commission shall be transmitted to the Council with the plan, portion, or revision; and

"(4) submit to the Council at the time of submitting such plan, any recommendations it may have for continuing the functions of the commission and for implementing the plan, including means of keeping the plan up to date.

"Powers and administrative provisions of the commissions

"SEC. 205. (a) For the purpose of carrying out the provisions of this title, each river basin commission may—

"(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable;

"(2) acquire, furnish, and equip such office space as is necessary;

"(3) use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States;

"(4) employ and compensate such personnel as it deems advisable, including con-

sultants, at rates not to exceed \$100 per diem;

"(5) arrange for the services of personnel from any State or the United States, or any subdivision or agency thereof, or any intergovernmental agency;

"(6) make arrangements, including contracts, with any participating government, except the United States or the District of Columbia, for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for or continuing in another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel;

"(7) purchase, hire, operate, and maintain passenger motor vehicles; and

"(8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

"(b) The chairman of a river basin commission, or any member of such commission designated by the chairman thereof for the purpose, is authorized to administer oaths when it is determined by a majority of the commission that testimony shall be taken or evidence received under oath.

"(c) To the extent permitted by law, all appropriate records and papers of each river basin commission shall be made available for public inspection during ordinary office hours.

"(d) Upon request of the chairman of any river basin commission, or any member or employee of such commission designated by the chairman thereof for the purpose, the head of any Federal department or agency is authorized (1) to furnish to such commission such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

"(e) The chairman of each river basin commission shall, in accordance with the general policies of such commission with respect to the work to be accomplished by it and the timing thereof, be responsible for (1) the appointment and supervision of personnel employed by such commission, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds available to such commission.

Compensation of commission members

"SEC. 206. (a) Any member of a river basin commission appointed pursuant to section 202(b) and (e) of this Act, shall receive no additional compensation by virtue of his membership on the commission, but shall continue to receive, from appropriations made for the agency from which he is appointed, the salary of his regular position when engaged in the performance of the duties vested in the commission.

"(b) Members of a commission, appointed pursuant to section 202 (c) and (d) of this Act, shall each receive such compensation as may be provided by the States or the interstate agency respectively, which they represent.

"(c) The per annum compensation of the chairman of each river basin commission shall be determined by the President, but when employed on a full-time annual basis shall not exceed the maximum scheduled rate for grade GS-18 of the Classification Act of 1949, as amended; or when engaged in the performance of the commission's duties on an intermittent basis such compensation shall be not more than \$100 per day and shall not exceed \$12,000 in any year.

"SEC. 207. (a) Each commission shall recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission's expenses shall be otherwise apportioned as the commission may determine. Each commission shall prepare a budget annually and transmit it to the Council and the States. Estimates of proposed appropriations from the Federal Government shall be included in the budget estimates submitted by the Council under the Budgeting and Accounting Act of 1921, as amended, and may include an amount for advance to a commission against State appropriations for which delay is anticipated by reason of later legislative sessions. All sums appropriated to or otherwise received by a commission shall be credited to the commission's account in the Treasury of the United States.

"(b) A commission may accept for any of its purposes and functions, appropriations, donations, and grants of money, equipment, supplies, materials, and services from any State or the United States or any subdivision or agency thereof, or intergovernmental agency, and may receive, utilize, and dispose of the same.

"(c) The commission shall keep accurate accounts of all receipts and disbursements. The accounts shall be audited at least annually in accordance with generally accepted auditing standards by independent certified or licensed public accountants, certified or licensed by a regulatory authority of a State, and the report of the audit shall be included in and become a part of the annual report of the commission.

"(d) The accounts of the commission shall be open at all reasonable times for inspection by representatives of the jurisdictions and agencies which make appropriations, donations, or grants to the commission.

TITLE III—FINANCIAL ASSISTANCE TO THE STATES FOR COMPREHENSIVE PLANNING GRANT AUTHORIZATIONS

"SEC. 301. (a) In recognition of the need for increased participation by the States in water and related land resources planning to be effective, there are hereby authorized to be appropriated to the Council for the next fiscal year beginning after the date of enactment of this Act, and for the nine succeeding fiscal years thereafter, \$5,000,000 in each such year for grants to States to assist them in developing and participating in the development of comprehensive water and related land resources plans.

"(b) The Council with the approval of the President, shall prescribe such rules, establish such procedures, and make such arrangements and provisions relating to the performance of its functions under this title, and the use of funds available therefore, as may be necessary in order to assure (1) coordination of the program authorized by this title with related Federal planning assistance programs, including the program authorized under section 701 of the Housing Act of 1954 and (2) appropriate utilization of other Federal agencies administering programs which may contribute to achieving the purpose of this Act.

Allotments

"SEC. 302. (a) From the sums appropriated pursuant to section 301 for any fiscal year the Council shall from time to time make allotments to the States, in accordance with its regulations on the basis of (1) the population, (2) the land area, (3) the need for comprehensive water and related land resources planning programs, and (4) the financial need of the respective States. For the purposes of this section the population of the States shall be determined on the basis of the latest estimates available from the Department of Commerce and the land area of the States shall be determined on

the basis of the official records of the United States Geological Survey

"(b) From each State's allotment under this section for any fiscal year the Council shall pay to such State an amount which is not more than 50 per centum of the cost of carrying out its State program approved under section 303, including the cost of training personnel for carrying out such program and the cost of administering such program.

State programs

"SEC. 303. The Council shall approve any program for comprehensive water and related land resources planning which is submitted by a State, if such program—

"(1) provides for comprehensive planning with respect to intrastate or interstate water resources, or both, in such State to meet the needs for water and water related activities taking into account prospective demands for all purposes served through or affected by water and related land resources development, with adequate provision for coordination with all Federal, State, and local agencies, and nongovernmental entities having responsibilities in affected fields;

"(2) provides, where comprehensive statewide development planning is being carried on with or without assistance under section 701 of the Housing Act of 1954, or under the Land and Water Conservation Fund Act of 1965, for full coordination between comprehensive water resources planning and other statewide planning programs and for assurances that such water resources planning will be in conformity with the general development policy in such State;

"(3) designates a State agency (hereinafter referred to as the 'State agency') to administer the program;

"(4) provides that the State agency will make such reports in such form and containing such information as the Council from time to time reasonably requires to carry out its functions under this title;

"(5) sets forth the procedure to be followed in carrying out the State program and in administering such program; and

"(6) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for keeping appropriate accountability of the funds and for the proper and efficient administration of the program.

The Council shall not disapprove any program without first giving reasonable notice and opportunity for hearing to the State agency administering such program.

Review

"SEC. 304. Whenever the Council after reasonable notice and opportunity for hearing to a State agency finds that—

"(a) the program submitted by such State and approved under section 303 has been so changed that it no longer complies with a requirement of such section; or

"(b) in the administration of the program there is a failure to comply substantially with such a requirement, the Council shall notify such agency that no further payments will be made to the State under this title until it is satisfied that there will no longer be any such failure. Until the Council is so satisfied, it shall make no further payments to such State under this title.

Payments

"SEC. 305. The method of computing and paying amounts pursuant to this title shall be as follows:

"(1) The Council shall, prior to the beginning of each calendar quarter or other period prescribed by it, estimate the amount to be paid to each State under the provisions of this title for such period, such estimate to be based on such records of the State and information furnished by it, and such other investigation, as the Council may find necessary.

"(2) The Council shall pay to the State, from the allotment available therefor, the amount so estimated by it for any period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which it finds that its estimate of the amount to be paid such State for any prior period under this title was greater or less than the amount which should have been paid to such State for such prior period under this title. Such payments shall be made through the disbursing facilities of the Treasury Department, at such times and in such installments as the Council may determine.

"Definition

"SEC. 306. For the purpose of this title the term "State" means a State, the District of Columbia, Puerto Rico, or the Virgin Islands.

"Records

"SEC. 307. (a) Each recipient of a grant under this Act shall keep such records as the Chairman of the Council shall prescribe, including records which fully disclose the amount and disposition of the funds received under the grant, and the total cost of the project or undertaking in connection with which the grant was made and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(b) The Chairman of the Council and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant that are pertinent to the determination that funds granted are used in accordance with this Act.

"TITLE IV—MISCELLANEOUS

"Authorization of appropriations

"SEC. 401. There are authorized to be appropriated not to exceed \$150,000 annually to carry out the provisions of title I of this Act, not to exceed \$6,000,000 annually to carry out the provisions of title II, and not to exceed \$400,000 annually for the administration of title III: *Provided*, That, with respect to title II, not more than \$750,000 annually shall be available for any single river basin commission.

"Rules and regulations

"SEC. 402. The Council is authorized to make such rules and regulations as it may deem necessary or appropriate for carrying out those provisions of this Act which are administered by it.

"Delegation of functions

"SEC. 403. The Council is authorized to delegate to any member or employee of the Council its administrative functions under section 105 and the detailed administration of the grant program under title III.

"Utilization of personnel

"SEC. 404. The Council may, with the consent of the head of any other department or agency of the United States, utilize such officers and employees of such agency on a reimbursable basis as are necessary to carry out the provisions of this Act."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 1111) was laid on the table.

CORRECTION OF VOTE

Mr. RIVERS of South Carolina. Mr. Speaker, to my amazement it has been called to my attention that on rollcall

No. 57 I am not recorded as present. I was present and voted "aye." I ask unanimous consent that the rollcall be corrected accordingly.

The SPEAKER. Is their objection to the request of the gentleman from South Carolina?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. HOWARD. Mr. Speaker, on rollcall No. 57 I was unavoidably detained attending a meeting of the Special Highway Investigating Subcommittee of the Committee on Public Works. Had I been present I would have voted "aye."

Mr. BLATNIK. Mr. Speaker, will the gentleman yield?

Mr. HOWARD. I yield to the gentleman from Minnesota.

Mr. BLATNIK. Mr. Speaker, the gentleman from New Jersey [Mr. HOWARD] was unavoidably detained at the committee hearing, which was necessary in order to complete testimony from and accommodate witnesses who had traveled a great distance, and to avoid extra expense to them.

PERSONAL ANNOUNCEMENT

Mr. WILLIS. Mr. Speaker, I ask that the proceedings of the House reflect that on the bill just passed, H.R. 1111, as I got into the Chamber the final vote had just been taken. If I had been here, I would have voted "yea."

CORRECTION OF ROLLCALL

Mr. UTT. Mr. Speaker, on rollcall No. 57 I was recorded as being absent. I was present and voted "yea" and ask unanimous consent that the RECORD be so corrected.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CORRECTION OF ROLLCALL

Mr. MULTER. Mr. Speaker, I am advised that on rollcall No. 57 I am recorded as being absent. I was present and voted "yea." I ask unanimous consent that the rollcall be corrected accordingly.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEGISLATIVE COUNSEL OF HOUSE OF REPRESENTATIVES

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 312), and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 312

Resolved, That, effective April 1, 1965, the compensation of the Legislative Counsel of the House of Representatives shall be at a gross per annum rate which is equal to the gross per annum rate of compensation of the Legislative Counsel of the Senate. The additional sums necessary to carry out this resolution shall be paid out of the contin-

gent fund of the House until otherwise provided by law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CHAPLAIN OF THE HOUSE OF REPRESENTATIVES

Mr. ALBERT. Mr. Speaker, I offer a resolution (H. Res. 313), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 313

Resolved, That, effective April 1, 1965, the compensation of the Chaplain of the House of Representatives shall be at a gross per annum rate which is equal to the gross per annum rate of compensation of the Chaplain of the Senate. The additional sums necessary to carry out this resolution shall be paid out of the contingent fund of the House until otherwise provided by law.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SUBCOMMITTEE NO. 5, COMMITTEE ON THE JUDICIARY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that Subcommittee No. 5 of the Committee on the Judiciary may sit while the House is in session tomorrow and engaged in general debate.

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, is this the subcommittee considering the voter legislation?

Mr. ALBERT. Yes.

Mr. WILLIAMS. I object, Mr. Speaker.

C. P. (PECK) TRUSSELL

(Mr. ALBERT asked and was given permission to address the House for 1 minute.)

Mr. ALBERT. Mr. Speaker, I take this time to advise Members of the House that a distinguished newspaper reporter and correspondent, C. P. Trussell, generally known as Peck Trussell, is retiring today from the New York Times at the age of 72.

Mr. Trussell has covered Congress continuously during the past 33 years—for the Baltimore Sun for 9 years and for the New York Times for 24 years.

Mr. Trussell is noted particularly for the objectivity and impartiality of his reports on congressional affairs and on national conventions of both great political parties, many of which he has covered over the years.

In 1949 he was awarded a Pulitzer Prize for distinguished reporting on national affairs. I believe he is the only reporter ever to be awarded a Pulitzer Prize for the day-to-day excellence of his work in covering Congress and national politics.

Mr. Speaker, I am sure I speak the sentiments of all Members when I say that the Congress and the country are grateful to Mr. Trussell for the fine job he has done over the years in reporting the activities of the Congress and of the National Government generally.

All the Members of the House, I am sure, wish Peck Trussell life's richest satisfactions in his retirement.

Mr. GERALD R. FORD. Mr. Speaker, the distinguished majority leader has set forth the outstanding record of Peck Trussell, who for so many years has covered the Congress with distinction and merit. Those of us on our side join with the majority leader in wishing Peck Trussell the very best as he retires. We have been the beneficiaries of his searching eye and his discerning pen and we feel that he has set an enviable record in his profession. We hope and trust that he will not leave us entirely but will stop by and renew his many friendships and acquaintances in the months and years ahead. He will always be most welcome as a friend and a helpmate to the Congress.

Mr. ALBERT. I thank the gentleman for his contribution.

GENERAL LEAVE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the life and service of Peck Trussell.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FRANCE SHOULD PAY ITS DEBTS TO THE UNITED STATES

(Mr. FUQUA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FUQUA. Mr. Speaker, we are all justly concerned over the decline in U.S. gold stocks. American currency has been the mainstay of world commerce, and for this Nation to remain strong, our dollar must remain strong.

We are justifiably concerned with an announcement by the Treasury Department that U.S. gold stocks declined \$250 million last week, and that \$231.5 million of that drop was a result of demands by France for U.S. gold, in exchange for dollars.

Here is a nation that we have sustained in two World Wars, here is a nation that we have helped to get back on its feet economically, and a nation which owes this Nation a great deal of money.

France owes the United States \$6 billion in World War I debts, and has made no payment on them since 1931. France also owes the United States over \$600 million in debts for World War II.

I am today introducing a House concurrent resolution which expresses the feeling of the Congress that France's repayment of her World War I debts to the United States be put back on their original schedule. General de Gaulle should be made to realize the great moral and legal debt which his nation owes to the American people.

While on the one hand draining our gold stocks, he ignores the fact that his nation owes a great financial debt to these United States.

I hope that Congress will pass this resolution and that the State Department

will tell the French Government that we want these just debts paid. This is only right and proper.

BEAUTIFICATION PROGRAM

(Mr. PASSMAN asked and was given permission to address the House for 1 minute, to revise and extend his remarks, and include extraneous matter dealing with the beautification program.)

Mr. PASSMAN. Mr. Speaker, recently I was privileged to participate in a special ceremony in my offices at which Edwin R. McDonald, Sr., one of the most public-spirited citizens of Newellton, La., which is in my district, was presented with the Award of Achievement of the Netherlands Flower-bulb Institute.

This ceremony had special significance for me because of the recognition it afforded to "Mr. Ed" McDonald who has for many years drawn upon his own imagination and resources to take a leading part in the beautification of the State of Louisiana.

The award of the Netherlands Flower-bulb Institute generously presented by Dr. Abe S. Tuinman, Agricultural Attaché, Embassy of the Netherlands, was in particular recognition of the creation of the Louisiana Dutch Gardens by Ed McDonald. These gardens, which all of us believe will become one of the most outstanding gardens in the South and the United States, are already abloom with beauty. The initial planting of some 80,000 Dutch tulips and other spring-flowering bulbs is to be followed by gorgeous arrays of roses and other summer annuals throughout the entire season. The creation of the garden flowed from a concept of natural beautification about which we hear much these days, but which was already being put into practice by Ed McDonald long before it enjoyed national support. Some years ago Ed McDonald, having retired from the management of his large farms in the Newellton, Louisiana, area, became aware that people are hungry for beauty. He sought in a small way to bring this beauty into their lives through the simple technique of planting tulips and other spring flowers in the fields along the Great River Road which passes through the McDonald plantations. Thus, people could and did come to appreciate the magic of flowers as they travel along the road, and proved Ed McDonald's theory that more beauty must be brought into the lives of all our people.

The Louisiana Dutch Gardens, opened to the public for the first time on March 19, 1965, has already been visited by more than 40,000 people from 46 States of the Union, and a number of foreign countries. As Dr. Tuinman said in his remarks on the occasion of the presentation of the institute's award, Louisiana and the Netherlands have certain similarities in that they are both low-lying lands which reap the benefits of the rivers and sea, and he said:

Such similarities extend also to more lofty areas, such as the love for flowers. It is expressed in the serene magnolia as your State flower, and in the contents of the song of Louisiana, where it says: "where the

mockers sing the sweetest and the land is filled with flowers."

Gardening—

Dr. Tuinman said—

balances the strain and stress of the day to day life. Gardening gives a feeling of partnership with nature, and the satisfaction of creating something; and it can be done with little financial means * * * It is a happy marriage where the gifts of nature and man's ingenuity in perfecting its flowers, yield ever more beautiful results. The favorite subject of the Dutch flower growers is the tulip, and the variety of colours and forms that exist, have amazed the lovers of flowers all over the world.

Mr. Speaker, it was with the greatest of pleasure that I participated in this ceremony honoring my old friend and associate, Ed McDonald, and I sincerely commend to every Member of this House this beautiful manmade wonder of nature that he has brought to pass in Newellton.

I request unanimous consent that the remarks of Dr. Tuinman, who presented this award on behalf of the Netherlands Flower-Bulb Institute, and those of Ed McDonald in accepting it, be printed in the RECORD at this point in my remarks:

STATEMENT OF MR. E. R. McDONALD AFTER THE PRESENTATION OF THE AWARD BY MR. TUINMAN OF THE EMBASSY OF THE NETHERLANDS

Thank you Mr. Tuinman, and I wish to thank the Netherlands Flower-Bulb Institute for bestowing on me this great honor. I love the soil, flowers, and everything out of the ground, and which has given me lots of joy to add to the beauty of the highway through my plantation. Your great country should have the compliments I have received here. I had no idea that when I extended my project on the highway, it would cause this sensation. May I say, it showed me the hunger of my people for beauty. Last Easter Sunday afternoon I had 6,000 people who signed the book from 42 States and 4 foreign countries, and the only thing that perturbed them was "is this yours, or is this the Department of Highway's?" I said it is a story too long to tell. To you and to the fine Dutch people I extend every good wish, and I would be happy to have you visit our garden in Louisiana, and by all means, visit northeast Louisiana, Mr. PASSMAN's district. We feel honored and privileged to own land in that great delta country. Thank you very kindly.

REMARKS BY DR. ABE S. TUINMAN, NETHERLANDS AGRICULTURE ATTACHÉ, AT PRESENTATION OF NETHERLANDS FLOWER BULB INSTITUTE AWARD TO MR. E. R. McDONALD, SR.¹

Congressman PASSMAN, Mr. McDonald, ladies, and gentlemen, it is a most pleasant duty for me to be here this morning.

The very fact that I, as a foreigner, representative of the Kingdom of the Netherlands, have been asked to present a certificate to a citizen of the State of Louisiana, in the office of a U.S. legislator, demonstrates how close, pleasant, and friendly our Atlantic relationship is.

When I had the pleasure of visiting Louisiana not so long ago, I was impressed by the fact how many things Louisiana and the Netherlands have in common. Both consist largely of a river delta with flat lowlands, and the fields are lined with trees. Both Louisiana and the Netherlands must constantly be on the alert against the perils of the surrounding water, both are protected

¹ Presentation made at Capitol Hill, Washington D.C., Thursday, Mar. 11, 1965.

Digest of CONGRESSIONAL PROCEEDINGS

OFFICE OF
BUDGET AND FINANCE

(For information only;
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OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE

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HIGHLIGHTS: Senate received Appropriations Committee report on proposed closing of certain USDA research stations. Several Senators debated farm labor situation. Senate subcommittee approved northwest flood disaster relief bill. Senate passed bill to extend Reorganization Act. Sen. Mondale urged Federal aid for flood disaster relief in Minn. Sen. McNamara introduced and discussed bill to expand poverty program.

SENATE

1. **EDUCATION.** By a vote of 73 to 18, passed without amendment H. R. 2362, the proposed Elementary and Secondary Education Act of 1965 (pp. 7343-71, 7400-02, 7405-6, 7410-52). This bill will now be sent to the President. The bill extends for two years, until June 30, 1968, authorization for Federal assistance to schools in federally impacted areas.
2. **REORGANIZATION.** Passed as reported S. 1135, to extend until Dec. 31, 1968, the authority of the President to transmit reorganization plans to the Congress under the Reorganization Act of 1949. pp. 7498-9

3. MANPOWER. Received and agreed to the conference report on S. 974, to extend the Manpower Development and Training Act until June 30, 1969, and to transfer the training provisions of the Area Redevelopment Act to this Act. pp. 7402-5
4. RESEARCH. Sen. Holland submitted the report of the Appropriations Committee on the results of its investigation of the proposed elimination of certain research stations and lines of research by the Department. The report recommends that the Secretary of Agriculture establish a Research Review Committee "to examine fully each and every line of the agricultural research conducted by the Department and by the State experiment stations," and to make a report on the results of the study to the Appropriations Committee within the next 60 days. (S. Rept. 156) pp. 7452-8
5. FARM LABOR. Several Senators debated the farm labor situation and inserted items on the matter. pp. 7371-98
6. DISASTER RELIEF. The Subcommittee on Public Roads of the Public Works Committee approved for full committee consideration S. 327, to provide Federal assistance to Ore., Wash., Calif., and Idaho for reconstruction of areas damaged by recent floods (amended so as to include the text of S. 1638, to increase the limitation of emergency relief on repair of highways). p. D286
Sen. Mondale urged Federal agencies, including this Department, to provide disaster relief assistance to Minn. as a result of recent flooding in the State. pp. 7476-7
7. WATER RESOURCES. Senate conferees were appointed on S. 21, the proposed Water Resources Planning Act (pp. 7407-10). House conferees have not yet been appointed.
8. TEXTILES. The Commerce Committee reported with amendment S. 1129, to amend the Textile Fiber Products Identification Act to permit the listing on labels of certain fibers constituting less than 5 percent of a textile fiber product (S. Rept. 161). p. 7458
9. PERSONNEL. The Post Office and Civil Service Committee reported without amendment H. R. 2594, to clarify the application of retirement increase legislation to certain retired Federal employees (S. Rept. 158). p. 7458
10. NATIONAL PARKS. Passed as reported S. 339, to provide for the establishment of the Agate Fossil Beds National Monument, Nebr. pp. 7499-7500
11. USER CHARGES; SOIL CONSERVATION. Sen. Young, N. Dak., inserted an article critical of the proposed user charge on SCS technical assistance to farmers and ranchers. pp. 7480-1
12. CONSERVATION. Sen. McGovern inserted an address by Assistant Secretary of the Interior Holum requiring water resource development and conservation activities. pp. 7494-6
13. ADJOURNED until Tues., Apr. 13. p. 7503

WATER RESOURCES PLANNING ACT

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 21) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning, which was to strike out all after the enacting clause and insert:

SHORT TITLE

SECTION 1. This Act may be cited as the "Water Resources Planning Act".

Statement of policy

SEC. 2. In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprise with the cooperation of all effected Federal agencies, States, local governments; individuals, corporations, business enterprises, and others concerned.

Effect on existing laws

SEC. 3. Nothing in this Act shall be construed—

(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, or limit any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

(b) to change or otherwise affect the authority or responsibility of any Federal official in the discharge of the duties of his office except as required to carry out the provisions of this Act with respect to the preparation and review of comprehensive regional or river basin plans and the formulation and evaluation of Federal water and related land resources projects;

(c) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources, or to exercise licensing or regulatory functions in relation thereto; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, or of the International Boundary and Water Commission, United States and Mexico;

(d) to deprive any court of the United States or of any State of jurisdiction over a matter in controversy affecting water or any water course.

TITLE I—WATER RESOURCES COUNCIL

SEC. 101. There is hereby established a Water Resources Council (hereinafter referred to as the "Council") which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Chairman of the Council shall request the heads of other Federal agencies to participate with the Council when matters affecting their responsibilities are considered by the Council.

The Chairman of the Council shall be designated by the President.

SEC. 102. The Council shall—

(a) maintain a continuing study and prepare an assessment biennially, or at such less frequent intervals as the Council may determine, of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and

(b) maintain a continuing study of the relation of regional or river basin plans and programs to the requirements of larger regions of the Nation, and of the adequacy of administrative and statutory means for the coordination of the water and related land resources policies and programs of the several Federal agencies; it shall appraise the adequacy of existing and proposed policies and programs to meet such requirements; and it shall make recommendations to the President with respect to Federal policies and programs.

SEC. 103. The Council shall establish, after public notice and hearing, and with the approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects. Such procedures may include provision for Council revision of plans for Federal projects intended to be proposed in any plan or revision thereof being prepared by a river basin planning commission.

SEC. 104. Upon receipt of a plan or revision thereof from any river basin commission under the provisions of section 204(3) of this Act, the Council shall review the plan or revision with special regard to—

(1) the efficacy of such plan or revision in achieving optimum use of the water and related land resources in the area involved;

(2) the effect of the plan on the achievement of other programs for the development of agricultural, urban, energy, industrial, recreational, fish and wildlife, and other resources of the entire Nation; and

(3) the contributions which such plan or revision will make in obtaining the Nation's economic and social goals.

Based on such review the Council shall—

(a) formulate such recommendations as it deems desirable in the national interest; and

(b) transmit its recommendations, together with the plan or revision of the river basin commission, and the views, comments, and recommendations with respect to such plan or revision submitted by any Federal agency, Governor, interstate commission, or United States section of an international commission, to the President for his review and transmittal to the Congress with his recommendations in regard to authorization of Federal projects.

SEC. 105. (a) For the purpose of carrying out the provisions of this Act, the Council may: (1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) employ and fix the compensation of such personnel as it deems advisable, in accordance with the civil service laws and Classification Act of 1949, as amended; (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates not to exceed \$100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; and (7) incur such necessary expenses and exercise

such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) Any member of the Council is authorized to administer oaths when it is determined by a majority of the Council that testimony shall be taken or evidence received under oath.

(c) To the extent permitted by law, all appropriate records and papers of the Council may be made available for public inspection during ordinary office hours.

(d) Upon request of the Council, the head of any Federal department or agency is authorized (1) to furnish to the Council such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such Council on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The Council shall be responsible for (1) the appointment and supervision of personnel, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditure of funds.

TITLE II—RIVER BASIN COMMISSIONS

Creation of commissions

SEC. 201. (a) The President is authorized to declare the establishment of a river basin water and related land resources commission upon request therefor by the Council, or request addressed to the Council by a State within which all or part of the basin or basins concerned are located if the request by the Council or by a State (1) defines the area, river basin, or group of related river basins for which a commission is requested (2) is made in writing by the Governor or in such manner as State law may provide, or by the Council, and (3) is concurred in by the Council and by not less than one-half of the States within which portions of the basin or basins concerned are located, and, in the event the Upper Colorado River Basin is involved, by at least three of the four States of Colorado, New Mexico, Utah, and Wyoming or, in the event the Columbia River Basin is involved, by at least three of the four States of Idaho, Montana, Oregon, and Washington. Such concurrences shall be in writing.

(b) Each such commission for an area, river basin, or group of river basins shall, to the extent consistent with section 3 of this Act—

(1) serve as the principal agency for the coordination of Federal, State, interstate, local and nongovernmental plans for the development of water and related land resources in its area, river basin, or group of river basins;

(2) prepare and keep up to date, to the extent practicable, a comprehensive, coordinated, joint plan for Federal, State, interstate, local and nongovernmental development of water and related resources; *Provided*, That the plan shall include an evaluation of all reasonable alternative means of achieving optimum development of water and related land resources of the basin or basins, and it may be prepared in stages, including recommendations with respect to individual projects;

(3) recommend long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and

(4) foster and undertake such studies of water and related land resources problems in its area, river basin, or group of river basins as are necessary in the preparation of the plan described in clause (2) of this subsection.

Membership of commissions

SEC. 202. Each river basin commission shall be composed of members appointed as follows:

(a) A chairman appointed by the President who shall also serve as chairman and coordinating officer of the Federal members of the commission and who shall represent the Federal Government in Federal-State relations on the commission and who shall not, during the period of his service on the commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the Federal Government;

(b) One member from each Federal department or independent agency determined by the President to have a substantial interest in the work to be undertaken by the commission, such member to be appointed by the head of such department or independent agency and to serve as the representative of such department or independent agency;

(c) One member from each State which lies wholly or partially within the area, river basin, or group of river basins for which the commission is established, and the appointment of each such member shall be made in accordance with the laws of the State which he represents. In the absence of governing provisions of State law, such State members shall be appointed and serve at the pleasure of the Governor;

(d) One member appointed by any interstate agency created by an interstate compact to which the consent of Congress has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is created;

(e) When deemed appropriate by the President, one member, who shall be appointed by the President, from the United States section of any international commission created by a treaty to which the consent of the Senate has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is established.

Organization of commissions

SEC. 203. (a) Each river basin commission shall organize for the performance of its functions within ninety days after the President shall have declared the establishment of such commission, subject to the availability of funds for carrying on its work. A commission shall terminate upon decision of the Council or agreement of a majority of the States composing the commission. Upon such termination, all property, assets, and records of the commission shall thereafter be turned over to such agencies of the United States and the participating States as shall be appropriate in the circumstances; *Provided*, That studies, data, and other materials useful in water and related land resources planning to any of the participants shall be kept freely available to all such participants.

(b) State members of each commission shall elect a vice chairman, who shall serve also as chairman and coordinating officer of the State members of the commission and who shall represent the State governments in Federal-State relations on the commission.

(c) Vacancies in a commission shall not affect its powers but shall be filled in the same manner in which the original appointments were made: *Provided*, That the chairman and vice chairman may designate alternates to act for them during temporary absences.

(d) In the work of the commission every reasonable endeavor shall be made to arrive at a consensus of all members on all issues; but failing this, full opportunity shall be afforded each member for the presentation and report of individual views: *Provided*, That at any time the commission fails to act by rea-

son of absence of consensus, the position of the chairman, acting in behalf of the Federal members, and the vice chairman, acting upon instructions of the State members, shall be set forth in the record: *Provided further*, That the chairman, in consultation with the vice chairman, shall have the final authority, in the absence of an applicable bylaw adopted by the commission or in the absence of a consensus, to fix the times and places for meetings, to set deadlines for the submission of annual and other reports, to establish subcommittees, and to decide such other procedural questions as may be necessary for the commission to perform its functions.

Duties of the commissions

SEC. 204. Each river basin commission shall—

(1) engage in such activities and make such studies and investigations as are necessary and desirable in carrying out the policy set forth in section 2 of the Act and in accomplishing the purposes set forth in section 201(b) of this Act;

(2) submit to the Council and the Governor of each participating State a report on its work at least once each year. Such report shall be transmitted through the President to the Congress. After such transmission, copies of any such report shall be sent to the heads of such Federal, State, interstate, and international agencies as the President or the Governors of the participating States may direct;

(3) submit to the Council for transmission to the President and by him to the Congress, and the Governors and the legislatures of the participating States a comprehensive, coordinated, joint plan, or any major portion thereof or necessary revisions thereof, for water and related land resources development in the area, river basin, or group of river basins for which such commission was established. Before the commission submits such a plan or major portion thereof or revision thereof to the Council, it shall transmit the proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and each interstate agency, from which a member of the commission has been appointed, and to the head of the United States section of any international commission if the plan, portion, or revision deals with a boundary water or a river crossing a boundary, or any tributary flowing into such boundary water or river, over which the international commission has jurisdiction or for which it has responsibility. Each such department and agency head, Governor, interstate agency, and United States section of an international commission shall have ninety days from the date of the receipt of the proposed plan, portion, or revision to report its views, comments, and recommendations to the commission. The commission may modify the plan, portion, or revision after considering the reports so submitted. The views, comments, and recommendations submitted by each Federal department or agency head, Governor, interstate agency, and United States section of an international commission shall be transmitted to the Council with the plan, portion, or revision; and

(4) submit to the Council at the time of submitting such plan, any recommendations it may have for continuing the functions of the commission and for implementing the plan, including means of keeping the plan up to date.

Powers and administrative provisions of the commissions

SEC. 205. (a) For the purpose of carrying out the provisions of this title, each river basin commission may—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable;

(2) acquire, furnish, and equip such office space as is necessary;

(3) use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States;

(4) employ and compensate such personnel as it deems advisable, including consultants, at rates not to exceed \$100 per diem;

(5) arrange for the services of personnel from any State or the United States, or any subdivision or agency thereof, or any intergovernmental agency;

(6) make arrangements, including contracts, with any participating government, except the United States or the District of Columbia, for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for or continuing in another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel;

(7) purchase, hire, operate, and maintain passenger motor vehicles; and

(8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) The chairman of a river basin commission, or any member of such commission designated by the chairman thereof for the purpose, is authorized to administer oaths when it is determined by a majority of the commission that testimony shall be taken or evidence received under oath.

(c) To the extent permitted by law, all appropriate records and papers of each river basin commission shall be made available for public inspection during ordinary office hours.

(d) Upon request of the chairman of any river basin commission, or any member or employee of such commission designated by the chairman thereof for the purpose, the head of any Federal department or agency is authorized (1) to furnish to such commission such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The chairman of each river basin commission shall, in accordance with the general policies of such commission with respect to the work to be accomplished by it and the timing thereof, be responsible for (1) the appointment and supervision of personnel employed by such commission, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds available to such commission.

Compensation of commission members

SEC. 206. (a) Any member of a river basin commission appointed pursuant to section 202 (b) and (e) of this Act, shall receive no additional compensation by virtue of his membership on the commission, but shall continue to receive, from appropriations made for the agency from which he is appointed, the salary of his regular position when engaged in the performance of the duties vested in the commission.

(b) Members of a commission, appointed pursuant to section 202 (c) and (d) of this Act, shall each receive such compensation as may be provided by the States or the interagency respectively, which they represent.

(c) The per annum compensation of the chairman of each river basin commission shall be determined by the President, but when employed on a full-time annual basis shall not exceed the maximum scheduled

rate for grade GS-18 of the Classification Act of 1949, as amended; or when engaged in the performance of the commission's duties on an intermittent basis such compensation shall be not more than \$100 per day and shall not exceed \$12,000 in any year.

SEC. 207. (a) Each commission shall recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission's expenses shall be otherwise apportioned as the commission may determine. Each commission shall prepare a budget annually and transmit it to the Council and the States. Estimates of proposed appropriations from the Federal Government shall be included in the budget estimates submitted by the Council under the Budgeting and Accounting Act of 1921, as amended, and may include an amount for advance to a commission against State appropriations for which delay is anticipated by reason of later legislative sessions. All sums appropriated to or otherwise received by a commission shall be credited to the commission's account in the Treasury of the United States.

(b) A commission may accept for any of its purposes and functions, appropriations, donations, and grants of money, equipment, supplies, materials, and services from any State or the United States or any subdivision or agency thereof, or intergovernmental agency, and may receive, utilize, and dispose of the same.

(c) The commission shall keep accurate accounts of all receipts and disbursements. The accounts shall be audited at least annually in accordance with generally accepted auditing standards by independent certified or licensed public accountants, certified or licensed by a regulatory authority of a State, and the report of the audit shall be included in and become a part of the annual report of the commission.

(d) The accounts of the commission shall be open at all reasonable times for inspection by representatives of the jurisdictions and agencies which make appropriations, donations, or grants to the commission.

TITLE III—FINANCIAL ASSISTANCE TO THE STATES FOR COMPREHENSIVE PLANNING GRANT AUTHORIZATIONS

SEC. 301. (a) In recognition of the need for increased participation by the States in water and related land resources planning to be effective, there are hereby authorized to be appropriated to the Council for the next fiscal year beginning after the date of enactment of this Act, and for the nine succeeding fiscal years thereafter, \$5,000,000 in each such year for grants to States to assist them in developing and participating in the development of comprehensive water and related land resources plans.

(b) The Council with the approval of the President, shall prescribe such rules, establish such procedures, and make such arrangements and provisions relating to the performance of its functions under this title, and the use of funds available therefor, as may be necessary in order to assure (1) coordination of the program authorized by this title with related Federal planning assistance programs, including the program authorized under section 701 of the Housing Act of 1954 and (2) appropriate utilization of other Federal agencies administering programs which may contribute to achieving the purpose of this Act.

Allotments

SEC. 302. (a) From the sums appropriated pursuant to section 301 for any fiscal year the Council shall from time to time make allotments to the States, in accordance with its regulations on the basis of (1) the population, (2) the land area, (3) the need for comprehensive water and related land resources planning programs, and (4) the fi-

nancial need of the respective States. For the purposes of this section the population of the States shall be determined on the basis of the latest estimates available from the Department of Commerce and the land area of the States shall be determined on the basis of the official records of the United States Geological Survey.

(b) From each State's allotment under this section for any fiscal year the Council shall pay to such State an amount which is not more than 50 per centum of the cost of carrying out its State program approved under section 303, including the cost of training personnel for carrying out such program and the cost of administering such program.

State programs

SEC. 303. The Council shall approve any program for comprehensive water and related land resources planning which is submitted by a State, if such program—

(1) provides for comprehensive planning with respect to intrastate or interstate water resources, or both, in such State to meet the needs for water and water related activities taking into account prospective demands for all purposes served through or affected by water and related land resources development, with adequate provision for coordination with all Federal, State, and local agencies, and nongovernmental entities having responsibilities in affected fields;

(2) provides where comprehensive statewide development planning is being carried on with or without assistance under section 701 of the Housing Act of 1954, or under the Land and Water Conservation Fund Act of 1965, for full coordination between comprehensive water resources planning and other statewide planning programs and for assurances that such water resources planning will be in conformity with the general development policy in such State;

(3) designates a State agency (hereinafter referred to as the "State agency") to administer the program;

(4) provides that the State agency will make such reports in such form and containing such information as the Council from time to time reasonably requires to carry out its functions under this title;

(5) sets forth the procedure to be followed in carrying out the State program and in administering such program; and

(6) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for keeping appropriate accountability of the funds and for the proper and efficient administration of the program.

The Council shall not disapprove any program without first giving reasonable notice and opportunity for hearing to the State agency administering such program.

Review

SEC. 304. Whenever the Council after reasonable notice and opportunity for hearing to a State agency finds that—

(a) the program submitted by such State and approved under section 303 has been so changed that it no longer complies with a requirement of such section; or

(b) in the administration of the program there is a failure to comply substantially with such a requirement, the Council shall notify such agency that no further payments will be made to the State under this title until it is satisfied that there will no longer be any such failure. Until the Council is so satisfied, it shall make no further payments to such State under this title.

Payments

SEC. 305. The method of computing and paying amounts pursuant to this title shall be as follows:

(1) The Council shall, prior to the beginning of each calendar quarter or other period prescribed by it, estimate the amount to be paid to each State under the provisions of this title for such period, such estimate to be based on such records of the State and

information furnished by it, and such other investigation, as the Council may find necessary.

(2) The Council shall pay to the State, from the allotment available therefor, the amount so estimated by it for any period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which it finds that its estimate of the amount to be paid such State for any prior period under this title was greater or less than the amount which should have been paid to such State for such prior period under this title. Such payments shall be made through the disbursing facilities of the Treasury Department, at such times and in such installments as the Council may determine.

Definition

SEC. 306. For the purpose of this title the term "State" means a State, the District of Columbia, Puerto Rico, or the Virgin Islands.

Records

SEC. 307. (a) Each recipient of grant under this Act shall keep such records as the Chairman of the Council shall prescribe including records which fully disclose the amount and disposition of the funds received under the grant and the total cost of the project or undertaking in connection with which the grant was made and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources and such other records as will facilitate an effective audit.

(b) The Chairman of the Council and the Comptroller General of the United States or any of their duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant that are pertinent to the determination that funds granted are used in accordance with this Act.

TITLE IV—MISCELLANEOUS

Authorization of appropriations

SEC. 401. There are authorized to be appropriated not to exceed \$150,000 annually to carry out the provisions of title I of this Act, not to exceed \$6,000,000 annually to carry out the provisions of title II, and not to exceed \$400,000 annually for the administration of title III: *Provided*, That, with respect to title II, not more than \$750,000 annually shall be available for any single river basin commission.

Rules and regulations

SEC. 402. The Council is authorized to make such rules and regulations as it may deem necessary or appropriate for carrying out those provisions of this Act which are administered by it.

Delegation of functions

SEC. 403. The Council is authorized to delegate to any member or employee of the Council its administrative functions under section 105 and the detailed administration of the grant program under title III.

Utilization of personnel

SEC. 404. The Council may, with the consent of the head of any other department or agency of the United States, utilize such officers and employees of such agency on a reimbursable basis as are necessary to carry out the provisions of this Act.

Mr. ANDERSON. Mr. President, I move that the Senate disagree to the amendment of the House of Representatives, that it ask for a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer [Mr. HARRIS] appointed Mr. ANDERSON, Mr. JACKSON, Mr. CHURCH,

Mr. KUCHEL, and Mr. ALLOTT, conferees on the part of the Senate.

ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

The Senate resumed the consideration of the bill (H.R. 2362) to strengthen and improve educational quality and educational opportunities in the Nation's elementary and secondary schools.

UNANIMOUS-CONSENT AGREEMENT

Mr. MANSFIELD. Mr. President, will the Senator yield without losing his right to the floor?

Mr. TOWER. I yield.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that for all remaining amendments there be a 30-minute limitation, 15 minutes to be allowed to the sponsor of the amendment and 15 minutes to the sponsor of the bill, the distinguished senior Senator from Oregon.

Mr. TOWER. Mr. President, so far as my amendment is concerned, I am prepared to make it 10 minutes to a side.

Mr. MANSFIELD. Let us keep it uniform, if we can do it.

Mr. TOWER. I am agreeable.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 72

Mr. TOWER. Mr. President, I call up my amendment No. 72.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the bill insert a new title as follows:

Title VII—Southeast Asia combat veterans' educational assistance.

Mr. TOWER. Mr. President, I ask that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be printed in the RECORD.

The amendment is to insert a new title at the end of the bill, as follows:

TITLE VII—SOUTHEAST ASIA COMBAT VETERANS' EDUCATIONAL ASSISTANCE

SHORT TITLE

Sec. 701. This title shall be known as the "Southeast Asia Combat Veterans' Educational Assistance Act".

Amendment of title 38, United States Code

Sec. 702. (a) Title 38 of the United States Code is amended by adding after chapter 39 the following new chapter:

"CHAPTER 40—EDUCATION OF VETERANS WHO SERVE IN THE SOUTHEAST ASIA THEATER OF OPERATIONS

"SUBCHAPTER I—DEFINITIONS

"Sec.

"1908. Definitions.

"SUBCHAPTER II—ELIGIBILITY

"1910. Entitlement to education or training generally.

"1911. Duration of veteran's education or training.

"1912. Commencement; time limitations.

"1913. Expiration of all education and training.

"SUBCHAPTER III—ENROLLMENT

"1920. Selection of program.

"1921. Applications; approval.

"1922. Change of program.

"1923. Disapproval of enrollment in certain courses.

"1924. Discontinuance for unsatisfactory progress.

"1925. Period of operation for approval.

"1926. Institutions listed by Attorney General.

"SUBCHAPTER IV—PAYMENTS TO VETERANS

"1931. Education and training allowance.

"1932. Computation of education and training allowances.

"1933. Measurement of courses.

"1934. Overcharges by educational institutions.

"SUBCHAPTER V—STATE APPROVING AGENCIES

"1941. Designation.

"1942. Approval of courses.

"1943. Cooperation.

"1944. Use of Office of Education and other Federal agencies.

"1945. Reimbursement of expenses.

"SUBCHAPTER VI—APPROVAL OF COURSES OF EDUCATION AND TRAINING

"1951. Apprentice or other training on the job.

"1952. Institutional on-farm training.

"1953. Approval of accredited courses.

"1954. Approval of nonaccredited courses.

"1955. Notice of approval of courses.

"1956. Disapproval of courses and discontinuance of allowances.

"SUBCHAPTER VII—MISCELLANEOUS PROVISIONS

"1961. Authority and duties of Administrator.

"1962. Educational and vocational counseling.

"1963. Control by agencies of United States.

"1964. Conflicting interests.

"1965. Reports by institutions.

"1966. Overpayments to veterans.

"1967. Examination of records.

"1968. False or misleading statements.

"1969. Information furnished by Federal Trade Commission.

"1970. Effective date and retroactive allowances.

"Subchapter I—Definitions

"§ 1908. Definitions

"(a) For the purpose of this chapter—

"(1) The term 'basic service period' means the period beginning on January 1, 1961, and ending on such date as shall be determined by Presidential proclamation or concurrent resolution of the Congress;

"(2) The term 'southeast Asia theater of operations' means any area in southeast Asia in which armed conflict or warlike conditions exist as determined by the President. The geographic description of any such area shall be prescribed by the President from time to time by Executive order. Any change in the geographic limits of any such area by the President shall not affect the eligibility of any veteran who qualified for benefits under this title prior to such change.

"(3) The term 'eligible veteran' means any veteran who is not on active duty and who—

"(A) served on active duty in the southeast Asia theater of operations at any during the basic service period;

"(B) was discharged or released therefrom under conditions other than dishonorable; and

"(C) served on active duty for a period of more than one hundred and eighty days (exclusive of any period he was assigned by the Armed Forces to a civilian institution for a course of education or training which was substantially the same as established course offered to civilians, or as cadet or midshipman at one of the service academies), or was discharged or released from a period of active duty, any part of which was performed in the southeast Asia theater of operations during the basic service period, for an actual service-connected disability.

"(4) The term 'program of education or training' means any single unit course or subject, any curriculum, or any combina-

tion of unit courses or subjects, which is generally accepted as necessary to fulfill requirements for the attainment of a predetermined and identified educational, professional, or vocational objective.

"(5) The term 'course' means an organized unit of subject matter in which instruction is offered within a given period of time or which covers a specific amount of related subject matter for which credit toward graduation or certification is usually given.

"(6) The term 'dependent' means—

"(A) a child of an eligible veteran;

"(B) a parent of an eligible veteran, if the parent is in fact dependent upon the veteran; and

"(C) the wife of an eligible veteran, or, in the case of an eligible veteran who is a woman, her husband if he is in fact dependent upon her.

"(7) The term 'educational institution' means any public or private elementary school, secondary school, vocational school, correspondence school, business school, junior college, teachers college, college, normal school, professional school, university, scientific or technical institution, or other institution furnishing education for adults.

"(8) The term 'training establishment' means any business or other establishment providing apprentice or other training on the job, including those under the supervision of a college or university or any State department of education, or any State apprenticeship agency, or any State board of vocational education, or any joint apprenticeship committee, or the Bureau of Apprenticeship established in accordance with chapter 4C of title 29, or any agency of the Federal Government authorized to supervise such training.

"(9) The term 'State' includes the Canal Zone.

"(10) The term 'Commissioner' means the United States Commissioner of Education.

"(b) Benefits shall not be afforded under this chapter to any individual on account of service as a commissioned officer of the Coast and Geodetic Survey, or of the Regular or Reserve Corps of the Public Health Service.

"(c) The Congress of the United States hereby declares that the veterans' education and training program created by this chapter is for the purpose of providing vocational readjustment and restoring lost educational opportunities to those service men and women whose educational or vocational ambitions have been interrupted or impeded by reason of active duty performed in the southeast Asia theater of operations during the basic service period, and for the purpose of aiding such persons in attaining the educational and training status which they might normally have aspired to and obtained had they not served their country.

"Subchapter II—Eligibility

"§ 1910. Entitlement to education or training generally

"Each eligible veteran shall, subject to the provisions of this chapter, be entitled to the education or training provided under this chapter.

"§ 1911. Duration of veteran's education or training

"(a) Each eligible veteran shall be entitled to education or training under this chapter for a period equal to one and a half times the duration of his service on active duty during his basic service period (or to the equivalent thereof in part-time training), except that—

"(1) in computing the duration of such service, there shall be excluded a period equal to any period he was assigned by the Armed Forces to a civilian institution for a course of education or training which was substantially the same as established courses offered to civilians or served as a cadet or midshipman at one of the service academies;

"(2) the period of education or training to which an eligible veteran shall be entitled

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14. ECONOMIC STATISTICS. Sen. Proxmire called for improvements in gathering and publication of economic statistics and inserted several items on the matter. pp. 7631-3
 15. FARM LABOR. Sen. Proxmire defended Secretary of Labor Wirtz against recent criticism of his handling of the farm labor problem. pp. 7634-5
 16. FOREIGN TRADE. Sen. Mansfield spoke in support of increased trade with the Soviet Union and Eastern European nations. p. 7539
Sen. Javits commended accomplishments of the Latin American Common Market and suggested that the U. S. and Canada should eventually be included in the Market. pp. 7583-5
 17. ELECTRIFICATION. Both Houses received from the President a report and a proposed bill "to authorize the Secretary of the Interior to construct, operate, and maintain a third powerplant at the Grand Coulee Dam, Columbia Basin project, Wash." (H. Doc. 142); to Interior and Insular Affairs Committees. pp. 7539, 7727, 7627-8
Received from FPC a publication, "Statistics of Electric Utilities, 1963, Privately Owned." p. 7540
 18. RESEARCH; COMMITTEES. Received from this Department a proposed bill to provide that the National Agricultural Research Advisory Committee shall meet annually (rather than at least quarterly) and at such other times as may be requested by the Secretary of Agriculture; to Agriculture and Forestry Committee. p. 7539
 19. CROP INSURANCE. Received a GAO report on the examination of financial statements of the Federal Crop Insurance Corporation for fiscal year 1964. p. 7540
 20. POVERTY. Received from the Office of Economic Opportunity a proposed bill "to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964"; to Labor and Public Welfare Committee. p. 7540
 21. EXPENDITURES. Sen. Carlson inserted a speech by Sen. Allott critical of proposed increases in Federal expenditures. pp. 7572-4
 22. LEGISLATIVE ACCOMPLISHMENTS. Sen. Mansfield reviewed legislative accomplishments so far this session of Congress and inserted a statement of the President congratulating Congress on its accomplishments. pp. 7539-40
 23. ADJOURNED until Thurs., Apr. 15. p. 7642
- HOUSE
24. MANPOWER. Agreed to the conference report on S. 974, to extend the Manpower Development and Training Act until June 30, 1969, and to transfer the training provisions of the Area Redevelopment Act to this Act. This bill will now be sent to the President. pp. 7662-3
 25. WATER RESOURCES. House conferees were appointed on S. 21, the proposed Water Resources Planning Act (p. 7660). Senate conferees have already been appointed.

26. BUILDINGS. Received from the Public Works Committee a list of approved prospectuses for the construction or alteration of certain public buildings, including Agriculture's South Building. p. 7656
27. RECLAMATION. Rep. Roncalio spoke in support of proposed legislation to reauthorize the Riverton Extension Units of the Missouri River Basin project, and inserted an editorial. p. 7701
28. AREA REDEVELOPMENT. Rep. Sullivan stated that for 10 years she had "supported the area redevelopment acts and the idea of helping our depressed areas" but believes "the consequences will be more far reaching if the end result is to discourage...support for programs which can be misused to subsidize runaway plants in leaving our industrial centers to seek cheap labor in low-wage areas." pp. 7703-4
29. FLOOD CONTROL AND RELIEF. Rep. Ashbrook praised the flood control project which the U. S. Corps of Engineers is preparing for the Licking River Basin, Ohio, and inserted a brief history of the project. pp. 7713-5
Rep. Green, Ore., inserted an Oregon State Legislature memorial asking financial assistance for the flood-stricken areas of the State. p. 7726
30. FARM PROGRAM. Rep. Cleveland inserted an article, "Fiddling on the Farm," critical of the President's farm message, calling it "much ado about not much of anything." p. 7720
Rep. Langen inserted a copy of a letter from a young farmer urging the President "to take positive action to force a reconsideration of the basic agricultural policy of our country." pp. 7721-2
31. GRAZING. Received a New Mexico Legislature memorial "requesting a review of overly severe grazing regulations enforced by the U. S. Forest Service." p. 7729
32. PERSONNEL. Received a GAO report of "excessive cost-of-living allowances paid to Federal employees in Puerto Rico and the Virgin Islands." p. 7727
33. STOCKPILING. The Armed Services Committee voted to report (but did not actually report) H. Con. Res. 100, to express the approval of Congress for the disposal of raw silk and silk noils from the national stockpile. p. D296
34. CCC BORROWING AUTHORITY. Received from this Department a proposed bill to authorize reduction in CCC's borrowing authority by the amount of notes tendered for cancellation and to cancel interest on borrowings from the Treasury equivalent to unreimbursed realized losses; to Banking and Currency Committee. p. 7728

ITEMS IN APPENDIX

35. FARM PROGRAM. Extension of remarks of Rep. Berry inserting and editorial and stating that it points out the "very serious shortcomings of the administration's farm bill proposal." p. A1789
Rep. Derwinski inserted an article, "To Raise the Price of Bread," critical of the President's farm proposal. p. A1830

ACTIVE BEARERS

The active bearers will be Nicholas Mona, John Golden, Frank Cronin, William Cronin, John Clark, and Daniel Weinstein.

Judge Shanley, a Democrat, served 4 terms in Congress as Representative from the Third District, 1935-42. He was elected probate judge in New Haven in 1948 and in his last two campaigns for reelection enjoyed the support of the Republican Party as well as his own.

Judge Shanley was born on Asylum Street, April 1, 1896, the son of the late Bernard and Rose Kelly Shanley.

YALE GRADUATE

He received his early education in local schools and received his B.A. degree in 1919 from Yale College and in 1923 his L.L.B. degree from the Yale Law School.

In 1920-21, he taught mathematics at Carlton Academy in Summit, N.J., and at Hillhouse High School from 1921 to 1934 where he also served as athletic coach.

During World War I, he was graduated from the Battery Commander's School at Fort Sill, Okla., and served as a lieutenant in field artillery. He was a captain in the Artillery Reserve; an adjutant in the 1st Battalion and subsequently Company Commander, Battalion Headquarters, 102d Infantry, Connecticut National Guard from 1929 to 1935 when he resigned on being elected to Congress. He served as a major on the staff of Gov. Wilbur Cross from 1931 to 1933.

During his service as probate judge he won the respect and support of both political parties through a tight policy on probate court expenditures. He reduced the judge's salary from an average of \$38,000 a year in the 1940's to less than \$19,000 during his tenure. He also instituted other economies in the operation of the court.

As a member of the House Foreign Affairs Committee, he was praised by the late Sol Bloom, committee chairman, for his "keen intelligence, thorough grasp of international law and his outstanding character."

Judge Shanley always like to be called a liberal and always insisted that he was one. He had supported labor legislation and had generally supported President Roosevelt's domestic policies, but had broken with the President on his foreign policy.

He was the recipient of many local and State honors. In 1952 Father McKeon Division No. 7, Ancient Order of Hibernians, presented him with the Distinguished Friendship Award, noting that Judge Shanley always went "beyond the call of duty in any position he occupied—with benefit to all concerned."

In 1953 he was elected chairman of the New Haven Human Relations Council succeeding the retiring chairman, Dr. David N. Beach, pastor of Center Church.

The New Haven Advertising Club's Gold Medal Award was given Judge Shanley in 1958, with James P. Richards, former Congressman from South Carolina, making the presentation and referring to Judge Shanley as "our greatest international scholar" in Congress in the mid-thirties.

At that same dinner Mayor Lee spoke of Judge Shanley's "charm and grace," saying that the judge's warmheartedness and wit had made many a "long and dreary banquet easy to endure" for Judge Shanley was also well known and much sought after as a toastmaster. This year for the first time in over 30 years he was not toastmaster of the St. Patrick's Day dinner of the Knights of St. Patrick because of his illness.

A former member of the boys club, he also had served as toastmaster for that group's annual awards dinner for many years.

A prolific reader, Judge Shanley had a library of over a thousand books and had contributed many to the New Haven Library as well. Some 5 years ago he served as general chairman of library week here.

Judge Shanley was a director of the New Haven Boys Club, a member of the American Society of International Law, American-Irish Historical Society, Knights of Columbus, Elks, Eagles, Knights of St. Patrick, Union League, American Society of International Lawyers, and the County and State Bar Associations.

He leaves his wife, the former Hilda Murphy Fleming Shanley; a daughter, Mary Louise (Nancy), now with the Peace Corps in Tanzania (Tanganyika); a son, James A. Shanley, Jr., a lawyer with the State Department in Washington, D.C.; two sisters, Mrs. Raymond Campbell and Miss Claire Shanley, both of Orange; five grandchildren and eight stepchildren. His first wife, the former Mildred Fleming, died in 1956.

Mr. KUNKEL. Mr. Speaker, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman.

Mr. KUNKEL. Mr. Speaker, I probably had the pleasure of knowing Jim Shanley longer than anyone else in this Chamber. He and I were classmates in the class of 1919 at Yale University. Jim was a fine student; even at that time he showed the characteristics of diligence and leadership which later led him up the ladder of a long and outstanding public career, both as a Member of Congress and as a probate judge.

We served together in the House for some years. At that time Jim was one of the most informed and solid people on foreign affairs. His speeches and his work at that time did a great deal to enable this country to come through the perilous war period in the way we did.

It was a shock to me to learn that Jim Shanley had passed away, because only last year we were at a reunion together, and 5 years before that we were together at another reunion. I do not know when anything has saddened me so much as when I learned of his passing. He was a friend for whom I had affection and great admiration. His wit and knowledge made him sparkle in any gathering.

I wish to join in all the fine comments the gentleman from Connecticut [Mr. GIAIMO] has made about him. To his family, my deepest sympathy.

Mr. GIAIMO. I thank the gentleman.

Mr. MONAGAN. Mr. Speaker, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from Connecticut [Mr. MONAGAN].

Mr. MONAGAN. Mr. Speaker, I join the gentleman in paying tribute to the memory of Jim Shanley. It has been truly and justly said that he was a great teacher, a great statesman, and a great judge.

I believe that no one in the modern history of New Haven has left behind a more pleasant and a more lasting memory.

An editorial which appeared in the New Haven Register said:

Through its local schools, through Yale University, and through the honors and offices it bestowed upon him, New Haven gave Jim Shanley much. In return he gave the city and its people much more.

Would that all of us could receive such a wonderful epitaph.

The gentleman in the well has truly pointed out that it was his personality, his friendliness, his charm, and his grace which will remain in the memories of

those of us who knew him well and for whom he served as an outstanding example.

I wish to point out also that he was a distinguished member of the great House Committee on Foreign Affairs, on which I have the privilege of serving, and he was one of the outstanding of many outstanding Representatives from Connecticut on that committee, to such an extent that he became known as an authority on international law and on the foreign affairs of this country.

I am saddened to know of his passing. I wish to express my appreciation for his contribution and also my sympathy to the members of his bereaved family.

Mr. GIAIMO. I thank the gentleman.

Mr. DADDARIO. Mr. Speaker, will the gentleman yield?

Mr. GIAIMO. I yield to the gentleman from Connecticut [Mr. DADDARIO].

Mr. DADDARIO. Mr. Speaker, I should like to join my colleague the gentleman from Connecticut [Mr. GIAIMO] in expressing my sympathy to the family of Jim Shanley on his untimely passing.

Congressman Shanley served in this body from the 74th to the 77th Congresses, during those tumultuous and epochmaking years from 1935 to 1943 when the Nation was troubled by economic difficulties and then fought its way through a world war. These were strenuous years, and Jim Shanley served his Nation well. He was one of the outstanding men who represented our State and gave wise counsel and assistance to the Nation in the responsibilities which he bore.

He was a man of gentle charm and courtesy, of flashing wit and inspirational ability. His service was marked by honor and distinction. He participated actively in many community programs, from libraries to friendly societies, and he served on many occasions to brighten a banquet table with his wit as toastmaster. He had graduated from Yale University with a fine training in the law, taught school in New Haven and served responsibly in World War I and in the military reserve forces thereafter. His practice in the international law, and his work in Congress led the late Sol Bloom to pay tribute to him for his work.

I campaigned with him when he made his first unsuccessful try for the position of judge of probate in New Haven after World War II, and when he was elected in 1948. In his last two campaigns for reelection he had earned the support of the Republican Party.

He was a wonderful fellow to know and to work with. He had been a great athlete at Yale, an outstanding player in hockey and baseball, and he had set a mark for the young people of Connecticut to look up and to emulate through his patriotism and his integrity. His two children are carrying on his tradition of public service, one in the Peace Corps and the other in the State Department, and to them, as well as to Mrs. Shanley, I extend my deepest condolences. I am deeply saddened by his passing. I share with Mr. GIAIMO a sense of sadness at the loss of a close and beloved friend.

Mr. GIAIMO. Mr. Speaker, I thank the gentleman and I now yield to the gentleman from Maryland [Mr. SICKLES].

(Mr. SICKLES asked and was given permission to revise and extend his remarks.)

Mr. SICKLES. Mr. Speaker, I too was greatly saddened to hear of the untimely passing of Judge James A. Shanley, of New Haven, Conn.

Judge Shanley, a dedicated public servant, was also a treasured family friend for many, many years. Among our many associations, he once served as toastmaster at a testimonial for my father, Carl W. Sickles, an occasion remembered by my family with great warmth.

A man of discerning intelligence and great dedication, he pursued during his lifetime at least four careers—as soldier, teacher, lawyer, and public servant, giving to each distinguished service.

As a soldier, he served as a lieutenant in World War I, later as a captain in the Artillery Guards from 1923 to 1935, adjutant in the Connecticut National Guard from 1929 to 1935, and as major on the staff of Gov. Wilbur L. Cross from 1931 to 1935.

His great love of youngsters and his dedication to their growth brought him to teaching. After graduation from Yale University in 1920, he taught mathematics at Carlton Academy in Summit, N.J., and later at Hill House High School in New Haven. Though his attention turned to law and politics, he still managed to devote much of his time to youngsters, being educational and athletic adviser to the New Haven Boys Club, an organization in which I held membership, and later, after coming to Washington, lecturing on parliamentary government and legislation at the Catholic University of America.

A 1928 graduate of the Yale University Law School, he practiced law in the city of New Haven. In 1935, he was elected to Congress from the Third Congressional District of Connecticut. Here, he served his constituents and his nation well as a member of the Committee on Foreign Affairs until 1942. After returning to Connecticut he distinguished himself in private practice and then as judge of probate, until his passing.

Throughout his life, whether as soldier or lawyer, teacher or public servant, Judge Shanley was admired and respected by all who came to know his discerning mind, his steadfast dedication to service, and his constant loyalty. He will be missed by all who knew him, all whose lives were touched by his presence.

Mr. GRABOWSKI. Mr. Speaker, I was deeply saddened when I learned of the death of Probate Judge James A. Shanley, of New Haven.

Judge Shanley, one of the finest men I have ever known, served in the U.S. Congress as Representative from the Third District of Connecticut from 1935 until 1942. During this time he was noted as one of the scholars of Congress, a man who lived up to the ideals of statesmanship and who contributed much to the field of international law.

In 1948 he was elected probate judge in New Haven. It is in this role that

the majority of people will probably remember him. He was kindly and yet firm, with the highest integrity. He introduced reforms into the probate court. Perhaps the greatest testimony to his contributions to the court came during his last two campaigns for the post of probate judge—he was nominated by Democrats and endorsed by the Republicans—indeed a high tribute to a man running under a political party banner for elective office.

His keen mind ranged into many fields—not only international law, but also into affairs of state, history, and to the modern problem of aiding youths who were underprivileged.

It would serve all of us to model our lives as nearly as possible after the life led by James Shanley. In every action he exemplified the gentleman and the scholar.

In words written immediately after the death of Judge Shanley was announced, another fitting tribute was paid to this great man:

To his friends, and their number was legion, the Jim Shanley story does not need to be put into print. It was written in words, in deeds of kindness, in actions, accomplishments, and in accolades which came his way in profusion because of what he was and what he did. These things * * * will never fade from the minds and hearts of those who knew him, those that he helped.

New Haven, Conn., and the United States have lost a wonderful man.

Mr. KEOGH. Mr. Speaker, I rise in special tribute to one of our distinguished former colleague, an eminent judge, and my good friend, the Honorable James A. Shanley, of Connecticut.

Last week at the age of 69, Judge Shanley passed away in New Haven. He was a man who had given a lifetime of service and vision to his State and his country. My sympathy and sorrow go out to his wife and family, and though it is for them a time of sadness, it is sadness which can be mixed with pride in the legacy which he has left to them. A man of great warmth, wit, and integrity, Judge Shanley had earned the respect and support of both Democrats and Republicans in his community and Nation.

During his last several terms as judge of the New Haven probate court, a position he had held since 1948, he was unopposed for reelection and enjoyed the esteem of both parties. Through his efforts many archaic practices were eliminated from the probate system of Connecticut and its operation made more effective.

During his term of office as the U.S. Representative from the Third Congressional District of Connecticut, from 1934 to 1942, he was closely identified with much of the New Deal program. And as a careful student of world affairs and member of the House Foreign Affairs Committee, he was a valuable and prophetic voice during the dark days of the late thirties when the world moved toward war and this country remained divided on foreign policy.

He fought ardently for the repeal of the Neutrality Acts of 1935 and 1937 when many Americans still felt they could and would dodge the coming issue abroad by remaining aloof, resorting if

need be to the construction of a "Fortress America."

And though he knew that war would come, he was an equally staunch advocate of international law, envisioning means to bring it about. In 1939, he asked President Roosevelt to convoke a world conference for the maintenance of peace. He believed strongly that the United States could make such an invitation timely and powerful.

He was well aware also, during those prewar years, of the menace that Stalin and communism—as well as Hitler—would come to pose for the nations of the free world. He urged great care and caution in our world diplomacy and warned often that "One day's friends may be tomorrow's enemies."

When war came and tyranny began its march toward world domination, he joined with younger men in the defense of our country. He had served as a young lieutenant in the field artillery of World War I, and now, two decades later, he served again the cause of freedom.

I have known James Shanley for many years. When I came here as freshman Congressman in 1936, his first tenure in the House had begun only 2 years earlier. We served together until the year following Pearl Harbor. He was a man of vision, a scholar, and devoted servant to the welfare of this country.

It is with a deep sense of sorrow that I offer this tribute and my deepest sympathies to his good family.

GENERAL LEAVE TO EXTEND

Mr. GIAIMO. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to revise and extend their remarks and include extraneous matter on the passing of Jim Shanley.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

DEVELOPMENT OF THE NATION'S NATURAL RESOURCES

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 21) to provide for the optimum development of the Nation's natural resources through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning, with a House amendment thereto, insist on the House amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Colorado? The Chair hears none, and appoints the following conferees: Messrs. ASPINALL, ROGERS of Texas, O'BRIEN, SAYLOR, and SKUBITZ.

AMENDING THE ARMS CONTROL AND DISARMAMENT ACT, AS AMENDED

Mr. MORGAN. Mr. Speaker, I call up the conference report on the bill

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HIGHLIGHTS: House passed housing bill. Senate Committee voted to report USDA appropriation bill. House committee reported bill to postpone wheat referendum.

HOUSE

1. HOUSING LOANS. Passed, 245-169, with amendments H. R. 7984, the housing and urban development bill (pp. 14669-714). Agreed to an amendment by Rep. Hagen, Calif., to increase from 2,500 to 5,500 the population of a community which may be eligible for rural home loans through the Farmers Home Administration (pp. 14704-5). Title IX of the bill would provide a new \$300,000,000-per-year program of insured housing loans under the Farmers Home Administration in rural areas.
2. WHEAT. The Agriculture Committee reported without amendment H. R. 9477, to extend until not later than 30 days after adjournment of the current session of Congress the date for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1966 (H. Rept. 571). p. 14764

3. EXPORT CONTROL. Concurred in the Senate amendments to H. R. 7105, to continue the Export Control Act for 4 years. This bill will now be sent to the President. p. 14716
4. SALT-WATER RESEARCH. The Interior and Insular Affairs Committee voted to report (but did not actually report), amended, H. R. 7092, to expand, extend, and accelerate the saline water conversion program of the Interior Department. p. D600
5. PUERTO RICO. The Interior and Insular Affairs Committee voted to report (but did not actually report) S. 2154, to amend the act establishing the Commission on the Status of Puerto Rico. p. D600
6. WATER RESOURCES. The conferees agreed to file (but did not actually file) a report on S. 21, the proposed Water Resources Planning Act. p. D601
7. TAXATION. The Judiciary Committee submitted a report on "State taxation of interstate commerce" (H. Rept. 565). p. 14764
8. D. C. APPROPRIATION BILL. Received the conference report on this bill, H. R. 6453 (H. Rept. 568). pp. 14762-3
9. BEEF EXPORTS. Rep. Olsen, Mont., reviewed and commended the efforts of producers, this Department, and others, to increase beef exports, stating that beef does not get its share of our export market. pp. 14761-2
10. FOREIGN AID. Rep. Ryan objected to wheat aid to Egypt. p. 14738
11. LABOR STANDARDS. Rep. Roosevelt inserted responses given the subcommittee by the Labor Department in the course of hearings on amendments to the Fair Labor Standards Act including data on wages paid for work relating to agriculture. pp. 14724-8
12. TARIFFS. Rep. Sikes spoke in favor of his bill to amend the Trade Expansion Act, stating that we should reshape our trade policy to support the better health of our economy. pp. 14738-9

SENATE

13. AGRICULTURAL APPROPRIATION BILL, 1966. The "Daily Digest" states that the Appropriation Committee voted to report (but did not actually report_ this bill H. R. 8370. p. D597
14. APPROPRIATIONS. The Appropriations Committee reported with amendments H. R. 7997 the independent offices appropriations bill, 1966, (S. Rept. 384). p. 14790
15. TRANSPORTATION. Passed as reported S. 1098, to amend the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply (pp. 14827-9). This bill was earlier reported with amendment (S. Rept. 386) (p. 14790).
The Commerce Committee reported with amendments S. 1727, to provide for strengthening and improving the national transportation system (S. Rept. 387) p. 14791

H.R. 727 (amended), to provide for the administration of the Coast Guard Band;

H.R. 7779, to provide for the retirement of enlisted members of the Coast Guard Reserve;

H.R. 8761 (amended), to provide an increase in the retired pay of certain members of the former Lighthouse Service; and

S. 627 (amended), to exempt oceanographic research vessels from the application of certain vessel inspection laws.

FOURTH-CLASS MAIL

Committee on Post Office and Civil Service: Subcommittee on Postal Rates held a hearing on H.R. 5938, regarding postal rates, fourth-class mail. Testimony was given by public witnesses.

JUDICIAL SECRETARIES

Committee on Post Office and Civil Service: Subcommittee on Retirement Insurance and Health Benefits held a hearing on H.R. 7710, to amend the Civil Service Retirement Act to authorize the payment of an annuity to a secretary of a justice or judge of the United States on the same basis as an annuity to a congressional employee or former congressional employee. Testimony was given by Alexander Holtzoff, U.S. District Judge of the District of Columbia.

VOTING RIGHTS

Committee on Rules: Held a hearing on H.R. 6400, regarding voting rights. Heard testimony from Representatives Whitener, George W. Andrews, and Waggoner.

NATIONAL SCIENCE FOUNDATION

Committee on Science and Astronautics: Subcommittee on Science, Research, and Development held a hearing regarding the future of the National Science Foundation. Heard testimony from Frederick Seitz, President of the National Academy of Sciences, and a former Director of the National Science Foundation.

FOREIGN INVESTMENT

Committee on Ways and Means: Held a hearing on H.R. 5916, to remove tax barriers to foreign investment in the United States. Testimony was heard from public witnesses. Hearings continue Thursday, July 1.

Joint Committee Meetings

RADIOACTIVE FALLOUT

Joint Committee on Atomic Energy: Subcommittee on Research, Development, and Radiation continued hearings on the Federal Radiation Council's protective action guides for cases of contamination from radioactive fallout, receiving testimony from Dr. Edward W. Dempsey, Department of HEW; Dr. George W. Irving,

Department of Agriculture; Dr. Gerald F. Tape, Commissioner, Atomic Energy Commission; Dr. Theodore B. Taylor, Defense Atomic Support Agency, Department of Defense; Dr. Lee Farr and Dr. Seymour Charles, both of the Committee on Environmental Hazards, American Academy of Pediatrics; Dr. G. D. Carlyle Thompson, Director of Health, State of Utah; Dr. Warren Lawson of the Board of Health, State of Minnesota; and Dr. Justin Frost, Greater St. Louis Citizens' Committee for Nuclear Information.

Hearings were adjourned subject to call of the Chair.

OCEAN FREIGHT RATES

Joint Economic Committee: Subcommittee on Federal Procurement and Regulation resumed its hearings on differential freight rates in ocean shipping which discriminate against American exporters, having as its witnesses Andrew F. Brimmer, Assistant Secretary of Commerce for Economic Affairs; and Lowell K. Bridwell, Deputy Under Secretary of Commerce for Transportation.

Hearings were recessed subject to call.

WATER RESOURCES PLANNING

Conferees, in executive session, agreed to file a conference report on the differences between the Senate- and House-passed versions of S. 21, proposed Water Resources Planning Act.

CIGARETTE LABELING

Conferees met in executive session to resolve the differences between the Senate- and House-passed versions of S. 559, to provide for the regulation of the labeling of cigarettes distributed in interstate commerce, but did not reach final agreement, and will meet again tomorrow.

TARIFF

Conferees, in executive session, agreed to file a conference report on the differences between the Senate- and House-passed versions of H.R. 8147, relating to the exemption from duty for returning residents.

COMMITTEE MEETINGS FOR THURSDAY, JULY 1

(All meetings are open unless otherwise designated)

Senate

Committee on Appropriations, executive, to mark up H.R. 8775, fiscal 1966 appropriations for the legislative branch, and to consider REA loan authority matter in connection with H.R. 8370, Agriculture Department appropriations bill, 10 a.m., 1223 New Senate Office Building.

Subcommittee, on H.R. 8639, State, Justice, Commerce appropriations, on funds for Equal Employment Opportunity Commission, 10 a.m., room S-126, Capitol.

Committee on Government Operations, Subcommittee on Intergovernmental Relations on S. 1201, fair compensation for

Next meeting of the SENATE

10:00 a.m., Thursday, July 1

Next meeting of the HOUSE OF REPRESENTATIVES

12:00 noon, Thursday, July 1

real property acquired for federally assisted programs, and S. 1681, fair treatment to persons displaced by federally assisted programs, 10 a.m., 3302 New Senate Office Building.

Committee on Interior and Insular Affairs, Irrigation and Reclamation Subcommittee, on S. 1478, Lower Niobrara Compact, and S. 553, Upper Niobrara Compact, to be followed by executive session to consider S. 34, Garrison diversion unit, Missouri River Basin project, 10 a.m., 3110 New Senate Office Building.

Committee on the Judiciary, Juvenile Delinquency Subcommittee, on S. 1592, firearms bill, 9 a.m., 318 Old Senate Office Building.

House

Committee on Agriculture, executive, on H.R. 9414, the cotton bill, 10 a.m., 1301 Longworth House Office Building.

Committee on Armed Services, Subcommittee No. 1, on H.R. 3039, relating to Armed Forces advance pay; H.R. 5519, relating to Armed Forces language training; H.R. 7843, relating to Armed Forces death benefits; and H.R. 8211, relating to Armed Forces separation allowances, 10 a.m., 2212 Rayburn House Office Building.

Committee on the District of Columbia, Subcommittee No. 4, on H.R. 4284, regarding financial protection to uninsured motorists; H.R. 4285, regarding the Motor Vehicle Safety Responsibility Act; H.R. 634, regarding proof of financial security; and H.R. 4882, regarding the Unsatisfied Judgment Fund Act, 10 a.m., 1310 Longworth House Office Building.

Committee on Education and Labor, General Subcommittee on Labor, executive, on the Fair Labor Standards Act Amendments, 9:15 a.m., 2261 Rayburn House Office Building.

General Subcommittee on Labor, to continue hearings on the Fair Labor Standards Act Amendments, 9:45 a.m., 2261 Rayburn House Office Building.

Committee on Foreign Affairs, Subcommittee on International Organizations and Movements, to continue on S. 1903, to amend the United Nations Participation Act; and H.J. Res. 403, regarding the authorizing and appropriation to enable the U.S. to extend an invitation to the World Health Assembly in Boston, in 1969, 10 a.m., 2200 Rayburn House Office Building.

Committee on House Administration, executive, on pending business, 10:30 a.m., H-329 U.S. Capitol Building.

Committee on Interior and Insular Affairs, Subcommittee on Public Lands, on H.R. 5984, with respect to certain lands granted to the States; H.R. 8750, relating to temporary labor medical care; and H.R. 5588, relating to land conveyance in Arizona and New Mexico, 9:45 a.m., 1324 Longworth House Office Building.

Committee on Interstate and Foreign Commerce, Subcommittee on Transportation and Aeronautics, executive, on pending business, 10 a.m., 2123 Rayburn House Office Building.

Committee on the Judiciary, Subcommittee No. 1, executive, on public immigration legislation, 10 a.m., 2237 Rayburn House Office Building.

Committee on Rules, to continue hearings on the voting rights bill, 10:30 a.m., Gallery Floor, U.S. Capitol Building.

Committee on Science and Astronautics, Subcommittee on Science, Research, and Development, to continue hearings regarding the future of the National Science Foundation, 10 a.m., 2325 Rayburn House Office Building.

Committee on Ways and Means, hearing on H.R. 5916, the act to remove tax barriers to foreign investment in the U.S., 10 a.m., Committee Room, Longworth House Office Building.

Joint Committee

Conferees, executive, on S. 559, cigarette labeling bill, 9 a.m., room EF-100, Capitol.



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| Education.....4,17,25 | Natural resources.....18 | Urban development.....20 |
| Electrification.....19 | Personnel.....11 | Water resources.....2 |
| Farm program.....21 | Public Law 480.....7 | Wheat.....5,7,21,23 |

HIGHLIGHTS. House committee voted to report cotton bill. Rep. Findley criticized cotton bill approved by committee. House received conference report on water resources planning bill. Reps. Widnall and Langen criticized PL 480 wheat shipments to Egypt. Rep. Cooley introduced cotton bill.

HOUSE

1. COTTON. The Agriculture Committee voted to report (but did not actually report) with amendment H. R. 9414, the Cooley cotton bill (p. D624). Rep. Findley criticized the bill as approved by the committee as "disgraceful" (pp. 15487-8).
2. WATER RESOURCES. Received the conference report on S. 21, the proposed Water Resources Planning Act (H. Rept. 603)(pp. 15406-9). As reported the bill includes provisions as follows: Establishes a Water Resources Council, composed

of the Secretaries of Interior, Agriculture, Army, HEW, and the Chairman of the Federal Power Commission, to coordinate river basin plans and maintain a continuing study of water supply requirements and management. Authorizes the President to establish river basin water and related land resources commissions to coordinate Federal, State, local, and nongovernmental plans for the development of water and related land resources. Authorizes annual appropriations of \$5 million for a period of 10 years for grants to States to assist them in developing and participating in the development of comprehensive water and related land resource plans. Authorizes the appropriation of an additional \$6,700,000 for carrying out various provisions of the bill.

3. PUBLIC LANDS. A subcommittee of the Interior and Insular Affairs Committee voted to report to the full committee H. R. 6646, to amend the Recreation and Public Purposes Act pertaining to the leasing of public lands to States and political subdivisions. p. D624
 4. EDUCATION. The Education and Labor Committee voted to report (but did not actually report) H. R. 9567, to strengthen the educational resources of colleges and universities and to provide financial assistance for students in postsecondary and higher education. p. D624
 5. WHEAT. Received from this Department a proposed bill to implement the International Wheat Agreement; to Banking and Currency Committee. p. 15496
 6. CONGRESSIONAL ORGANIZATION. The Joint Committee on the Organization of the Congress submitted an interim report on the organization of the Congress (H. Rept. 605). p. 15496
 7. PUBLIC LAW 480. Reps. Widnall and Langen criticized recent shipments of wheat to Egypt under Public Law 480. pp. 15473, 15483
 8. BUDGET. Rep. Krebs stated that the administration is working toward a balanced budget in the near future and inserted an editorial, "Brighter Budget." pp. 15471-2
 9. RESEARCH FUNDS. Rep. Roush criticized the geographical allocation of Federal research and development funds, stating that "these funds are expended in only a few small areas of our country." pp. 15474-5
 10. FOREIGN TRADE. Rep. Berry criticized the Trade Expansion Act and urged enactment of a legislation to prohibit a possible 50-percent tariff cut on certain items. pp. 15485-6
 11. PERSONNEL. Rep. Fulton commended Civil Service Chairman Macy and inserted an article "Civil Service Chief Wields Power as Johnson's Talent Scout." p. 15491
- SENATE
12. HEALTH. Continued debate on H. R. 6675, to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the Old-Age, Survivors, and Disability Insurance System, etc. pp. 15296-338, 15346-58, 15361-70, 15398-403

DEVELOPMENT OF THE NATION'S NATURAL RESOURCES

JULY 8, 1965.—Ordered to be printed

Mr. ASPINALL, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany S. 21]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 21) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter inserted by the House amendment insert the following:

SHORT TITLE

SECTION 1. This Act may be cited as the "Water Resources Planning Act".

STATEMENT OF POLICY

SEC. 2. In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprise with the cooperation of all affected Federal agencies, States, local governments, individuals, corporations, business enterprises, and others concerned.

EFFECT ON EXISTING LAWS

SEC. 3. Nothing in this Act shall be construed—

(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

(b) to change or otherwise affect the authority or responsibility of any Federal official in the discharge of the duties of his office except as required to carry out the provisions of this Act with respect to the preparation and review of comprehensive regional or river basin plans and the formulation and evaluation of Federal water and related land resources projects;

(c) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources or to exercise licensing or regulatory functions in relation thereto, except as required to carry out the provisions of this Act, nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or the International Boundary and Water Commission, United States and Mexico:

(d) as authorizing any entity established or acting under the provisions hereof to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission.

TITLE I—WATER RESOURCES COUNCIL

SEC. 101. There is hereby established a Water Resources Council (hereinafter referred to as the "Council") which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Chairman of the Council shall request the heads of other Federal agencies to participate with the Council when matters affecting their responsibilities are considered by the Council. The Chairman of the Council shall be designated by the President.

SEC. 102. The Council shall—

(a) maintain a continuing study and prepare an assessment biennially, or at such less frequent intervals as the Council may determine, of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and

(b) maintain a continuing study of the relation of regional or river basin plans and programs to the requirements of larger regions of the Nation and of the adequacy of administrative and statutory means for the coordination of the water and related land resources policies and programs of the several Federal agencies; it shall appraise the adequacy of existing and proposed policies and programs to meet

such requirements; and it shall make recommendations to the President with respect to Federal policies and programs.

SEC. 103. The Council shall establish, after such consultation with other interested entities, both Federal and non-Federal, as the Council may find appropriate, and with the approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects. Such procedures may include provision for Council revision of plans for Federal projects intended to be proposed in any plan or revision thereof being prepared by a river basin planning commission.

SEC. 104. Upon receipt of a plan or revision thereof from any river basin commission under the provisions of section 204(3) of this Act, the Council shall review the plan or revision with special regard to—

(1) the efficacy of such plan or revision in achieving optimum use of the water and related land resources in the area involved;

(2) the effect of the plan on the achievement of other programs for the development of agricultural, urban, energy, industrial, recreational, fish and wildlife, and other resources of the entire Nation; and

(3) the contributions which such plan or revision will make in obtaining the Nation's economic and social goals.

Based on such review the Council shall—

(a) formulate such recommendations as it deems desirable in the national interest; and

(b) transmit its recommendations, together with the plan or revision of the river basin commission and the views, comments, and recommendations with respect to such plan or revision submitted by any Federal agency, Governor, interstate commission, or United States section of an international commission, to the President for his review and transmittal to the Congress with his recommendations in regard to authorization of Federal projects.

SEC. 105. (a) For the purpose of carrying out the provisions of this Act, the Council may: (1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) employ and fix the compensation of such personnel as it deems advisable, in accordance with the civil service laws and Classification Act of 1949, as amended; (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates not to exceed \$100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; and (7) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) Any member of the Council is authorized to administer oaths when it is determined by a majority of the Council that testimony shall be taken or evidence received under oath.

(c) To the extent permitted by law, all appropriate records and papers of the Council may be made available for public inspection during ordinary office hours.

(d) Upon request of the Council, the head of any Federal department or agency is authorized (1) to furnish to the Council such information as may be necessary for carrying out its functions and as may be available to or

procurable by such department or agency, and (2) to detail to temporary duty with such Council on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The Council shall be responsible for (1) the appointment and supervision of personnel, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds.

TITLE II—RIVER BASIN COMMISSIONS

CREATION OF COMMISSIONS

SEC. 201. (a) The President is authorized to declare the establishment of a river basin water and related land resources commission upon request therefor by the Council, or request addressed to the Council by a State within which all or part of the basin or basins concerned are located if the request by the Council or by a State (1) defines the area, river basin, or group of related river basins for which a commission is requested, (2) is made in writing by the Governor or in such manner as State law may provide, or by the Council, and (3) is concurred in by the Council and by not less than one-half of the States within which portions of the basin or basins concerned are located and, in the event the Upper Colorado River Basin is involved, by at least three of the four States of Colorado, New Mexico, Utah, and Wyoming or, in the event the Columbia River Basin is involved, by at least three of the four States of Idaho, Montana, Oregon, and Washington. Such concurrences shall be in writing.

(b) Each such commission for an area, river basin, or group of river basins shall, to the extent consistent with section 3 of this Act—

(1) serve as the principal agency for the coordination of Federal, State, interstate, local and nongovernmental plans for the development of water and related land resources in its area, river basin, or group of river basins;

(2) prepare and keep up to date, to the extent practicable, a comprehensive, coordinated, joint plan for Federal, State, interstate, local and nongovernmental development of water and related resources: Provided, That the plan shall include an evaluation of all reasonable alternative means of achieving optimum development of water and related land resources of the basin or basins, and it may be prepared in stages, including recommendations with respect to individual projects;

(3) recommend long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and

(4) foster and undertake such studies of water and related land resources problems in its area, river basin, or group of river basins as are necessary in the preparation of the plan described in clause (2) of this subsection.

MEMBERSHIP OF COMMISSIONS

SEC. 202. Each river basin commission shall be composed of members appointed as follows:

(a) A chairman appointed by the President who shall also serve as chairman and coordinating officer of the Federal members of the com-

mission and who shall represent the Federal Government in Federal-State relations on the commission and who shall not, during the period of his service on the commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the Federal Government;

(b) One member from each Federal department or independent agency determined by the President to have a substantial interest in the work to be undertaken by the commission, such member to be appointed by the head of such department or independent agency and to serve as the representative of such department or independent agency;

(c) One member from each State which lies wholly or partially within the area, river basin, or group of river basins for which the commission is established, and the appointment of each such member shall be made in accordance with the laws of the State which he represents. In the absence of governing provisions of State law, such State members shall be appointed and serve at the pleasure of the Governor;

(d) One member appointed by any interstate agency created by an interstate compact to which the consent of Congress has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is created;

(e) When deemed appropriate by the President, one member, who shall be appointed by the President, from the United States section of any international commission created by a treaty to which the consent of the Senate has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is established.

ORGANIZATION OF COMMISSIONS

SEC. 203. (a) Each river basin commission shall organize for the performance of its functions within ninety days after the President shall have declared the establishment of such commission, subject to the availability of funds for carrying on its work. A commission shall terminate upon decision of the Council or agreement of a majority of the States composing the commission. Upon such termination, all property, assets, and records of the commission shall thereafter be turned over to such agencies of the United States and the participating States as shall be appropriate in the circumstances: Provided, That studies, data, and other materials useful in water and related land resources planning to any of the participants shall be kept freely available to all such participants.

(b) State members of each commission shall elect a vice chairman, who shall serve also as chairman and coordinating officer of the State members of the commission and who shall represent the State governments in Federal-State relations on the commission.

(c) Vacancies in a commission shall not affect its powers but shall be filled in the same manner in which the original appointments were made: Provided, That the chairman and vice chairman may designate alternates to act for them during temporary absences.

(d) In the work of the commission every reasonable endeavor shall be made to arrive at a consensus of all members on all issues; but failing this, full opportunity shall be afforded each member for the presentation and report of individual views: Provided, That at any time the commission fails to act by reason of absence of consensus, the position of the chairman, acting in behalf of the Federal members, and the vice chairman, acting

upon instructions of the State members, shall be set forth in the record: Provided further, That the chairman, in consultation with the vice chairman, shall have the final authority, in the absence of an applicable bylaw adopted by the commission or in the absence of a consensus, to fix the times and places for meetings, to set deadlines for the submission of annual and other reports, to establish subcommittees, and to decide such other procedural questions as may be necessary for the commission to perform its functions.

DUTIES OF THE COMMISSIONS

SEC. 204. *Each river basin commission shall—*

(1) *engage in such activities and make such studies and investigations as are necessary and desirable in carrying out the policy set forth in section 2 of this Act and in accomplishing the purposes set forth in section 201(b) of this Act;*

(2) *submit to the Council and the Governor of each participating State a report on its work at least once each year. Such report shall be transmitted through the President to the Congress. After such transmission, copies of any such report shall be sent to the heads of such Federal, State, interstate, and international agencies as the President or the Governors of the participating States may direct;*

(3) *submit to the Council for transmission to the President and by him to the Congress, and the Governors and the legislatures of the participating States a comprehensive, coordinated, joint plan, or any major portion thereof or necessary revisions thereof, for water and related land resources development in the area, river basin, or group of river basins for which such commission was established. Before the commission submits such a plan or major portion thereof or revision thereof to the Council, it shall transmit the proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and each interstate agency, from which a member of the commission has been appointed, and to the head of the United States section of any international commission if the plan, portion or revision deals with a boundary water or a river crossing a boundary, or any tributary flowing into such boundary water or river, over which the international commission has jurisdiction or for which it has responsibility. Each such department and agency head, Governor, interstate agency, and United States section of an international commission shall have ninety days from the date of the receipt of the proposed plan, portion, or revision to report its views, comments, and recommendations to the commission. The commission may modify the plan, portion, or revision after considering the reports so submitted. The views, comments, and recommendations submitted by each Federal department or agency head, Governor, interstate agency, and United States section of an international commission shall be transmitted to the Council with the plan, portion, or revision; and*

(4) *submit to the Council at the time of submitting such plan, any recommendations it may have for continuing the functions of the commission and for implementing the plan, including means of keeping the plan up to date.*

POWERS AND ADMINISTRATIVE PROVISIONS OF THE COMMISSIONS

SEC. 205. (a) For the purpose of carrying out the provisions of this title, each river basin commission may—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable;

(2) acquire, furnish, and equip such office space as is necessary;

(3) use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States;

(4) employ and compensate such personnel as it deems advisable, including consultants, at rates not to exceed \$100 per diem, and retain and compensate such professional or technical service firms as it deems advisable on a contract basis;

(5) arrange for the services of personnel from any State or the United States, or any subdivision or agency thereof, or any inter-governmental agency;

(6) make arrangements, including contracts, with any participating government, except the United States or the District of Columbia, for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for or continuing in another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel;

(7) purchase, hire, operate, and maintain passenger motor vehicles; and

(8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) The chairman of a river basin commission, or any member of such commission designated by the chairman thereof for the purpose, is authorized to administer oaths when it is determined by a majority of the commission that testimony shall be taken or evidence received under oath.

(c) To the extent permitted by law, all appropriate records and papers of each river basin commission shall be made available for public inspection during ordinary office hours.

(d) Upon request of the chairman of any river basin commission, or any member or employee of such commission designated by the chairman thereof for the purpose, the head of any Federal department or agency is authorized (1) to furnish to such commission such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The chairman of each river basin commission shall, with the concurrence of the vice chairman, appoint the personnel employed by such commission, and the chairman shall, in accordance with the general policies of such commission with respect to the work to be accomplished by it and the timing thereof, be responsible for (1) the supervision of personnel employed by such commission, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditure of funds available to such commission.

COMPENSATION OF COMMISSION MEMBERS

SEC. 206. (a) Any member of a river basin commission appointed pursuant to section 202 (b) and (e) of this Act shall receive no additional compensation by virtue of his membership on the commission, but shall continue to receive, from appropriations made for the agency from which he is appointed, the salary of his regular position when engaged in the performance of the duties vested in the commission.

(b) Members of a commission, appointed pursuant to section 202 (c) and (d) of this Act, shall each receive such compensation as may be provided by the States or the interstate agency respectively, which they represent.

(c) The per annum compensation of the chairman of each river basin commission shall be determined by the President, but when employed on a full-time annual basis shall not exceed the maximum scheduled rate for grade GS-18 of the Classification Act of 1949, as amended; or when engaged in the performance of the commission's duties on an intermittent basis such compensation shall be not more than \$100 per day and shall not exceed \$12,000 in any year.

SEC. 207. (a) Each commission shall recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission's expenses shall be otherwise apportioned as the commission may determine. Each commission shall prepare a budget annually and transmit it to the Council and the States. Estimates of proposed appropriations from the Federal Government shall be included in the budget estimates submitted by the Council under the Budgeting and Accounting Act of 1921, as amended, and may include an amount for advance to a commission against State appropriations for which delay is anticipated by reason of later legislative sessions. All sums appropriated to or otherwise received by a commission shall be credited to the commission's account in the Treasury of the United States.

(b) A commission may accept for any of its purposes and functions appropriations, donations, and grants of money, equipment, supplies, materials, and services from any State or the United States or any subdivision or agency thereof, or intergovernmental agency, and may receive, utilize, and dispose of the same.

(c) The commission shall keep accurate accounts of all receipts and disbursements. The accounts shall be audited at least annually in accordance with generally accepted auditing standards by independent certified or licensed public accountants, certified or licensed by a regulatory authority of a State, and the report of the audit shall be included in and become a part of the annual report of the commission.

(d) The accounts of the commission shall be open at all reasonable times for inspection by representatives of the jurisdictions and agencies which make appropriations, donations, or grants to the commission.

TITLE III—FINANCIAL ASSISTANCE TO THE STATES FOR COMPREHENSIVE PLANNING GRANT AUTHORIZA- TIONS

SEC. 301. (a) In recognition of the need for increased participation by the States in water and related land resources planning to be effective, there are hereby authorized to be appropriated to the Council for the next fiscal year beginning after the date of enactment of this Act, and for the nine succeeding fiscal years thereafter, \$5,000,000 in each such year for grants to States to assist them in developing and participating in the development of comprehensive water and related land resources plans.

(b) The Council, with the approval of the President, shall prescribe such rules, establish such procedures, and make such arrangements and provisions relating to the performance of its functions under this title, and the use of funds available therefor, as may be necessary in order to assure (1) coordination of the program authorized by this title with related Federal planning assistance programs, including the program authorized under section 701 of the Housing Act of 1954 and (2) appropriate utilization of other Federal agencies administering programs which may contribute to achieving the purpose of this Act.

ALLOTMENTS

SEC. 302. (a) From the sums appropriated pursuant to section 301 for any fiscal year the Council shall from time to time make allotments to the States, in accordance with its regulations, on the basis of (1) the population, (2) the land area, (3) the need for comprehensive water and related land resources planning programs, and (4) the financial need of the respective States. For the purposes of this section the population of the States shall be determined on the basis of the latest estimates available from the Department of Commerce and the land area of the States shall be determined on the basis of the official records of the United States Geological Survey.

(b) From each State's allotment under this section for any fiscal year the Council shall pay to such State an amount which is not more than 50 per centum of the cost of carrying out its State program approved under section 303, including the cost of training personnel for carrying out such program and the cost of administering such program.

STATE PROGRAMS

SEC. 303. The Council shall approve any program for comprehensive water and related land resources planning which is submitted by a State, if such program—

(1) provides for comprehensive planning with respect to intrastate or interstate water resources, or both, in such State to meet the needs for water and water-related activities taking into account prospective demands for all purposes served through or affected by water and related land resources development, with adequate provision for coordination with all Federal, State, and local agencies, and non-governmental entities having responsibilities in affected fields;

(2) provides, where comprehensive statewide development planning is being carried on with or without assistance under section 701 of the Housing Act of 1954, or under the Land and Water Conservation Fund Act of 1965, for full coordination between comprehensive water

resources planning and other statewide planning programs and for assurances that such water resources planning will be in conformity with the general development policy in such State;

(3) designates a State agency (hereinafter referred to as the "State agency") to administer the program;

(4) provides that the State agency will make such reports in such form and containing such information as the Council from time to time reasonably requires to carry out its functions under this title;

(5) sets forth the procedure to be followed in carrying out the State program and in administering such program; and

(6) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for keeping appropriate accountability of the funds and for the proper and efficient administration of the program.

The Council shall not disapprove any program without first giving reasonable notice and opportunity for hearing to the State agency administering such program.

REVIEW

SEC. 304. Whenever the Council after reasonable notice and opportunity for hearing to a State agency finds that—

(a) the program submitted by such State and approved under section 303 has been so changed that it no longer complies with a requirement of such section; or

(b) in the administration of the program there is a failure to comply substantially with such a requirement, the Council shall notify such agency that no further payments will be made to the State under this title until it is satisfied that there will no longer be any such failure. Until the Council is so satisfied, it shall make no further payments to such State under this title.

PAYMENTS

SEC. 305. The method of computing and paying amounts pursuant to this title shall be as follows:

(1) The Council shall, prior to the beginning of each calendar quarter or other period prescribed by it, estimate the amount to be paid to each State under the provisions of this title for such period, such estimate to be based on such records of the State and information furnished by it, and such other investigation, as the Council may find necessary.

(2) The Council shall pay to the State, from the allotment available therefor, the amount so estimated by it for any period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which it finds that its estimate of the amount to be paid such State for any prior period under this title was greater or less than the amount which should have been paid to such State for such prior period under this title. Such payments shall be made through the disbursing facilities of the Treasury Department, at such times and in such installments as the Council may determine.

DEFINITION

SEC. 306. For the purpose of this title the term "State" means a State, the District of Columbia, Puerto Rico, or the Virgin Islands.

RECORDS

SEC. 307. (a) *Each recipient of a grant under this Act shall keep such records as the Chairman of the Council shall prescribe, including records which fully disclose the amount and disposition of the funds received under the grant, and the total cost of the project or undertaking in connection with which the grant was made and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.*

(b) *The Chairman of the Council and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant that are pertinent to the determination that funds granted are used in accordance with this Act.*

TITLE IV—MISCELLANEOUS

AUTHORIZATION OF APPROPRIATIONS

SEC. 401. *There are authorized to be appropriated not to exceed \$300,000 annually, to carry out the provisions of title I of this Act, not to exceed \$6,000,000 annually to carry out the provisions of title II, and not to exceed \$400,000 annually for the administration of title III; Provided, That, with respect to title II, not more than \$750,000 annually shall be available for any single river basin commission.*

RULES AND REGULATIONS

SEC. 402. *The Council is authorized to make such rules and regulations as it may deem necessary or appropriate for carrying out those provisions of this Act which are administered by it.*

DELEGATION OF FUNCTIONS

SEC. 403. *The Council is authorized to delegate to any member or employee of the Council its administrative functions under section 105 and the detailed administration of the grant program under title III.*

UTILIZATION OF PERSONNEL

SEC. 404. *The Council may, with the consent of the head of any other department or agency of the United States, utilize such officers and employees of such agency on a reimbursable basis as are necessary to carry out the provisions of this Act.*

And the House agree to the same.

WAYNE N. ASPINALL,
WALTER ROGERS,
LEO W. O'BRIEN,
JOHN P. SAYLOR,
JOE SKUBITZ,

Managers on the Part of the House.

CLINTON P. ANDERSON,
HENRY M. JACKSON,
FRANK CHURCH,
THOMAS H. KUCHEL,
GORDON ALLOTT,

Managers on the Part of the Senate.

STATEMENT OF MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill, S. 21, to provide for the optimum development of the Nation's natural resources through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning, submit this statement in explanation of the effect of the language agreed upon and recommended in the accompanying conference report. The language agreed upon is essentially the language of the House amendment except as herein noted.

Interbasin transfers of water

The conference committee adopted language in the form of an additional disclaimer in section 3 which relates to studies of the transfer of waters between areas that are under the jurisdiction of more than one river basin commission or similar planning entity. The language states that nothing in the act shall be construed—

(d) As authorizing any entity established or acting under the provisions hereof to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission.

This language is intended to make it clear that the authority which is given to the Water Resources Council and to the river basin commissions established under S. 21 does not include authority to study and report upon the transfer of waters between basins or areas that are appropriate for planning on a comprehensive basis. In other words, no river basin commission established under this act will have authority to study the importation of water into the area over which it has jurisdiction from any other basin or related group of river basins under the jurisdiction of another river basin commission or entity performing the planning function of a river basin commission. Neither could a river basin commission study the exportation of water from the basin or area under its jurisdiction.

Likewise, the authority given the Council under this act does not include authority to study the transfer of waters between basins or areas covered by river basin commissions or similar planning entities.

In summary, the conference committee, by the adoption of this language, takes the position that authority to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or similar planning entity is beyond the scope of this legislation. It should be clearly understood that this language is not applicable to and does not affect the existing authority of Federal agencies, interstate compact commissions, or other entities which have water resources planning responsibilities.

Legislation not to affect the Columbia River Basin Treaty

The Senate-passed bill included language providing that the jurisdiction and powers of the permanent engineering board and the U.S. operating entity or entities established pursuant to the Columbia River Basin Treaty shall not be affected by this legislation. The conference committee retained this language.

Jurisdiction of the courts over water matters

Subsection 3(d) of the House-passed bill was not retained by the conference committee. This disclaimer relating to jurisdiction of the courts over water matters was considered by the conference committee to be unnecessary.

Public hearings in connection with the establishment of planning procedures not required

The House-passed bill included language requiring the Water Resources Council to hold public hearings in connection with the establishment of principles, standards, and procedures for Federal participants in the preparation of river basin plans and for the formulation and evaluation of Federal water projects. Public hearings in connection with the establishment of such planning procedures seemed to the conference committee to be unnecessary and inappropriate. The conference committee adopted substitute language requiring, instead of public hearings, consultation with other interested entities, both Federal and non-Federal, as the Council may find appropriate.

Employment of professional or technical service firms

The conference committee amended the language of section 205(a)(4) to make it clear that the river basin commissions could employ professional or technical service firms in carrying out their duties and responsibilities under this act. There was never any intention to prohibit the employment of such firms in addition to individuals and consultants, but the matter has been clarified because of the concern of numerous engineering firms throughout the country.

Authorization of appropriations

The House language with respect to the authorization of appropriations was retained by the conference committee except that the annual amount authorized to be appropriated for the operation of the Water Resources Council under title I was increased from \$150,000 annually to \$300,000 annually; \$150,000 annually seemed to the conference committee to be inadequate in view of the important work and responsibilities assigned to the Council under the legislation. This change raises the ceiling on appropriations to \$6,700,000 annually compared to \$6,550,000 in the House-passed bill and \$10,000,000 in the Senate-passed bill. These amounts do not include the \$5,000,000 authorized to be appropriated annually for 10 years to assist the States in water resources planning.

WAYNE N. ASPINALL,
WALTER ROGERS,
LEO W. O'BRIEN,
JOHN P. SAYLOR,
JOE SKUBITZ,

Managers on the Part of the House.

House of Representatives

THURSDAY, JULY 8, 1965

The House met at 12 o'clock noon.

Rabbi Herbert W. Bomzer of Young Israel of Ocean Parkway, Brooklyn, N.Y., offered the following prayer:

Behold how goodly and how pleasant, when brethren dwell together.

Our Father in Heaven, we ask Thy blessing upon these Members of our Congress assembled to deliberate and decide the welfare of all the American people. May they successfully carry the awesome responsibilities they have freely assumed in this most scientifically advanced and perilous generation in history.

Grant us Thy inspiration as we seek the solution to political, social, and economic problems: to eradicate prejudice, hatred, suffering, racial tension, hunger, armed conflict, and oppression; to achieve lasting peace and brotherly love.

Teach us, O G-d, to ever appreciate the priceless heritage of freedom endowed us by our forefathers. From the immortal words of the first emancipator, Moses, "Let my people go," to the biblical command, "Proclaim liberty throughout the land and to all the inhabitants thereof," from the historic demand of Patrick Henry, "Give me liberty or give me death," to the declaration "that all men are created equal," to this very day men have never ceased yearning and dying, for liberty.

Enable us to preserve freedom's holy light as we maintain a government "which gives to bigotry no sanction, to persecution no assistance." Protect and sustain our beloved President, Vice President, and these distinguished leaders, the spiritual heirs of those who proclaimed our independence 189 years ago this week.

May mankind soon usher in the long awaited millenium when the rays of freedom shall enlighten the world, when life, liberty, and the pursuit of happiness shall be the irrevocable right of all men for all times. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 611. An act for the relief of certain employees of the Mount Edgecumbe Boarding School, Alaska;

S. 621. An act for the relief of Marija Malnar;

S. 861. An act for the relief of Alva Arlington Garnes;

S. 869. An act for the relief of Yom Tov Yeshayahu Briskz;

S. 971. An act for the relief of Mrs. Elna B. Guira;

S. 1111. An act for the relief of Pola Bodenstein;

S. 1113. An act for the relief of Emilio Maiorano, Lucia Maiorano, and Cosimo Maiorano;

S. 1120. An act for the relief of Dr. Ortelio Rodriguez Perez;

S. 1164. An act for the relief of Cristina Franco;

S. 1975. An act to amend the Northern Pacific Halibut Act in order to provide certain facilities for the International Pacific Halibut Commission;

S. Con. Res. 37. Concurrent resolution authorizing the printing for the use of the Senate Committee on the Judiciary of additional copies of its hearings on economic concentration; and

S. Con. Res. 38. Concurrent resolution to authorize the printing of additional copies of a committee print of the Committee on the Judiciary entitled "The Soviet Empire—A Study in Discrimination and Abuse of Power."

AN EDITORIAL OF THE WASHINGTON POST

(Mr. ALBERT asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. ALBERT. Mr. Speaker, I am sure that I shared the same surprise, if not the amusement of my colleagues, when I picked up the editorial page of the Washington Post this morning, dated July 8, 1965.

I hesitate to take the time of the House to discuss this editorial because I know all members are anxious to resume our debate, now in its third day, on the voting rights bill.

Mr. Speaker, I have the impression that the procedures of the Committee on Rules are at least as effective and up-to-date as the procedures of the editorial board of the Washington Post. The Committee on Rules reported the voting rights bill 1 week ago today, but I am certain that the editorial which appeared in the Washington Post has been bottled up for a period considerably longer than that.

Mr. Speaker, the Washington Post is a great newspaper and I know that there is not a Member of the House who would suppose for a moment that its editorial board is not in command of all the facts relating to legislation before this House. Indeed that board needed only to refer to the page opposite the Post's editorial page to find in the vicinity of the Art Buchwald column, the solemn announcement that the House was to meet

at noon today to continue consideration of H.R. 6400, the voting rights bill.

Mr. Speaker, I can think of only one explanation. Certain forces within the Post's editorial board, most probably reactionary in philosophy and oblivious to what the rest of the Post's staff knows is the public interest, are able to pursue their little game of delay unchecked by the others.

I call upon this great newspaper to update its procedures and to revise its operating rules.

Mr. Speaker, the editorial speaks for itself and I ask unanimous consent that it may be inserted in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There is no objection.

The editorial is as follows:

LULL ON VOTING RIGHTS

What has happened to the voting rights bill? Some months ago this measure began its journey through Congress with a great deal of steam behind it. After a long debate the Senate passed the bill on May 26, and the House Judiciary Committee reported out a somewhat different bill on June 1. Since then virtually nothing has been heard of the bill, even though it was supposed to be moving through Congress at an emergency pace.

Experienced observers of the Washington scene who know where to look when they encounter delay will turn at once to the Rules Committee. Their instinct will be entirely right. The supposed traffic director on the legislative highway just sat on the bill for more than 3 weeks. Then it began hearings on June 24, as if it had the responsibility of duplicating the extensive work of the Judiciary Committee.

There are some indications that the bill may emerge the latter part of this week. If so, there may be plenty of time for the House to pass it and for conferees to adjust the serious differences between the two Houses in regard to abolition of State poll taxes and other features before the preadjournment rush begins. But it will be well to keep an eye on the gentlemen who manage the rules. Even in its current reformed status, the committee is capable of mischief on a broad scale. No harm will be done if the country lets the committee know that it is waiting somewhat impatiently for the legislative traffic cop to get the voting-rights vehicle on the road.

Mr. SMITH of California. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman.

Mr. SMITH of California. Mr. Speaker, I congratulate the gentleman from Oklahoma.

I have some remarks to make along the same lines and ask unanimous consent that I may insert my remarks following the statement of the gentleman from Oklahoma.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MISCHIEFMAKING OR IRRESPONSIBILITY?

Mr. SMITH of California. Mr. Speaker, if a day goes by when the Washington Post is unable to find something it does not like for which to blame Congress, or more particularly the House Committee on Rules, it has a capability for manufacturing a cause for indignation.

In today's edition of this newspaper, there appears an editorial entitled "Lull on Voting Rights." It was written to make it appear that the voting rights bill is being held up by the House Rules Committee.

I do not know whether this is calculated mischief to incite the uninformed into one more demonstration or, to be more charitable, if it is just one more example of the Washington Post's capacity for journalistic carelessness.

At any rate, I take this opportunity to enlighten the Washington Post and, hopefully, all those who may have been misled, that the voting rights bill had been debated on the floor of the House for 2 days before publication of this inaccurate editorial. The Rules Committee reported out the voting rights bill on July 1, a week before the Washington Post reported editorially that "no harm will be done if the country lets the committee know that it is waiting somewhat impatiently for the legislative traffic cop to get the voting rights vehicle on the road."

Mr. Speaker, under unanimous consent I include in my remarks the editorial entitled "Lull on Voting Rights" which was published in the Washington Post today, Thursday, July 8.

[From the Washington Post, July 8, 1965]

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the bill S. 21, to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resource council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning; which was ordered printed:

CONFERENCE REPORT (H. REPT. NO. 603)

JULY 8, 1965

The Committee of Conference on the disagreeing votes of the two Houses on the amendment of the House to the Bill (S. 21) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment, as follows: In lieu of the matter inserted by the House amendment insert the following:

"SHORT TITLE

"SECTION 1. This Act may be cited as the 'Water Resources Planning Act'.

"STATEMENT OF POLICY

"SEC. 2. In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprise with the cooperation of all affected Federal agencies, States, local governments, individuals, corporations, business enterprises, and others concerned.

"EFFECT ON EXISTING LAWS

"SEC. 3. Nothing in this Act shall be construed—

"(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

"(b) to change or otherwise affect the authority or responsibility of any Federal official in the discharge of the duties of his office except as required to carry out the provisions of this Act with respect to the preparation and review of comprehensive regional or river basin plans and the formulation and evaluation of Federal water and related land resources projects;

"(c) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources or to exercise licensing or regulatory functions in relation thereto, except as required to carry out the provisions of this Act; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or the International Boundary and Water Commission, United States and Mexico;

"(d) as authorizing any entity established

or acting under the provisions hereof to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission.

"TITLE I—WATER RESOURCES COUNCIL

"SEC. 101. There is hereby established a Water Resources Council (hereinafter referred to as the "Council") which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Chairman of the Council shall request the heads of other Federal agencies to participate with the Council when matters affecting their responsibilities are considered by the Council. The Chairman of the Council shall be designated by the President.

"SEC. 102. The Council shall—

"(a) maintain a continuing study and prepare an assessment biennially, or at such less frequent intervals as the Council may determine, of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and

"(b) maintain a continuing study of the relation of regional or river basin plans and programs to the requirements of larger regions of the Nation and of the adequacy of administrative and statutory means for the coordination of the water and related land resources policies and programs of the several Federal agencies; it shall appraise the adequacy of existing and proposed policies and programs to meet such requirements; and it shall make recommendations to the President with respect to Federal policies and programs.

"SEC. 103. The Council shall establish, after such consultation with other interested entities, both Federal and non-Federal, as the Council may find appropriate, and with the approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects. Such procedures may include provision for Council revision of plans for Federal projects intended to be proposed in any plan or revision thereof being prepared by a river basin planning commission.

"SEC. 104. Upon receipt of a plan or revision thereof from any river basin commission under the provisions of section 204(3) of this Act, the Council shall review the plan or revision with special regard to—

"(1) the efficacy of such plan or revision in achieving optimum use of the water and related land resources in the area involved;

"(2) the effect of the plan on the achievement of other programs for the development of agricultural, urban, energy, industrial, recreational, fish and wildlife, and other resources of the entire Nation; and

"(3) the contributions which such plan or revision will make in obtaining the Nation's economic and social goals.

Based on such review the Council shall—

"(a) formulate such recommendations as it deems desirable in the national interest; and

"(b) transmit its recommendations, together with the plan or revision of the river basin commission and the views, comments, and recommendations with respect to such plan or revision submitted by any Federal agency, Governor, interstate commission, or United States section of an international commission, to the President for his review and transmittal to the Congress with his recommendations in regard to authorization of Federal projects.

"SEC. 105. (a) For the purpose of carrying out the provisions of this Act, the Council may: (1) hold such hearings, sit and act at such times and places, take such testi-

DEVELOPMENT OF THE NATION'S NATURAL RESOURCES

Mr. ASPINALL submitted the following conference report and statement on

mony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) employ and fix the compensation of such personnel as it deems advisable, in accordance with the civil service laws and Classification Act of 1949, as amended; (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates not to exceed \$100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; and (7) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

"(b) Any member of the Council is authorized to administer oaths when it is determined by a majority of the Council that testimony shall be taken or evidence received under oath.

"(c) To the extent permitted by law, all appropriate records and papers of the Council may be made available for public inspection during ordinary office hours.

"(d) Upon request of the Council, the head of any Federal department or agency is authorized (1) to furnish to the Council such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such Council on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

"(e) The Council shall be responsible for (1) the appointment and supervision of personnel, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds.

"TITLE II—RIVER BASIN COMMISSIONS

Creation of commissions

"SEC. 201. (a) The President is authorized to declare the establishment of a river basin water and related land resources commission upon request therefor by the Council, or request addressed to the Council by a State within which all or part of the basin or basins concerned are located if the request by the Council or by a State (1) defines the area, river basin, or group of related river basins for which a commission is requested, (2) is made in writing by the Governor or in such manner as State law may provide, or by the Council, and (3) is concurred in by the Council and by not less than one-half of the States within which portions of the basin or basins concerned are located and, in the event the Upper Colorado River Basin is involved, by at least three of the four States of Colorado, New Mexico, Utah, and Wyoming or, in the event the Columbia River Basin is involved, by at least three of the four States of Idaho, Montana, Oregon, and Washington. Such concurrences shall be in writing.

"(b) Each such commission for an area, river basin, or group of river basins shall, to the extent consistent with section 3 of this Act—

"(1) serve as the principal agency for the coordination of Federal, State, interstate, local and nongovernmental plans for the development of water and related land resources in its area, river basin, or group of river basins;

"(2) prepare and keep up to date, to the extent practicable, a comprehensive, coordinated, joint plan for Federal, State, interstate, local and nongovernmental development of water and related resources: *Provided*, That the plan shall include an evalua-

tion of all reasonable alternative means of achieving optimum development of water and related land resources of the basin or basins, and it may be prepared in stages, including recommendations with respect to individual projects;

"(3) recommend long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and

"(4) foster and undertake such studies of water and related land resources problems in its area, river basin, or group of river basins as are necessary in the preparation of the plan described in clause (2) of this subsection.

"Membership of commissions

"SEC. 202. Each river basin commission shall be composed of members appointed as follows:

"(a) A chairman appointed by the President who shall also serve as chairman and coordinating officer of the Federal members of the commission and who shall represent the Federal Government in Federal-State relations on the commission and who shall not, during the period of his service on the commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the Federal Government;

"(b) One member from each Federal department or independent agency determined by the President to have a substantial interest in the work to be undertaken by the commission, such member to be appointed by the head of such department or independent agency and to serve as the representative of such department or independent agency;

"(c) One member from each State which lies wholly or partially within the area, river basin, or group of river basins for which the commission is established, and the appointment of each such member shall be made in accordance with the laws of the State which he represents. In the absence of governing provisions of State law, such State members shall be appointed and serve at the pleasure of the Governor;

"(d) One member appointed by any Interstate agency created by an interstate compact to which the consent of Congress has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is created;

"(e) When deemed appropriate by the President, one member, who shall be appointed by the President, from the United States section of any international commission created by a treaty to which the consent of the Senate has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is established.

"Organization of commissions

"SEC. 203. (a) Each river basin commission shall organize for the performance of its functions within ninety days after the President shall have declared the establishment of such commission, subject to the availability of funds for carrying on its work. A commission shall terminate upon decision of the Council or agreement of a majority of the States composing the commission. Upon such termination, all property, assets, and records of the commission shall thereafter be turned over to such agencies of the United States and the participating States as shall be appropriate in the circumstances: *Provided*, That studies, data, and other materials useful in water and related land resources planning to any of the participants shall be kept freely available to all such participants.

"(b) State members of each commission shall elect a vice chairman, who shall serve also as chairman and coordinating officer

of the State members of the commission and who shall represent the State governments in Federal-State relations on the commission.

"(c) Vacancies in a commission shall not affect its powers but shall be filled in the same manner in which the original appointments were made: *Provided*, That the chairman and vice chairman may designate alternates to act for them during temporary absences.

"(d) In the work of the commission every reasonable endeavor shall be made to arrive at a consensus of all members on all issues; but failing this, full opportunity shall be afforded each member for the presentation and report of individual views: *Provided*, That at any time the commission falls to act by reason of absence of consensus, the position of the chairman, acting in behalf of the Federal members, and the vice chairman, acting upon instructions of the State members, shall be set forth in the record: *Provided further*, That the chairman, in consultation with the vice chairman, shall have the final authority, in the absence of an applicable bylaw adopted by the commission or in the absence of a consensus, to fix the times and places for meetings, to set deadlines for the submission of annual and other reports, to establish subcommittees, and to decide such other procedural questions as may be necessary for the commission to perform its functions.

"Duties of the commissions

"SEC. 204. Each river basin commission shall—

"(1) engage in such activities and make such studies and investigations as are necessary and desirable in carrying out the policy set forth in section 2 of this Act and in accomplishing the purposes set forth in section 201(b) of this Act;

"(2) submit to the Council and the Governor of each participating State a report on its work at least once each year. Such report shall be transmitted through the President to the Congress. After such transmission, copies of any such report shall be sent to the heads of such Federal, State, interstate, and international agencies as the President or the Governors of the participating States may direct;

"(3) submit to the Council for transmission to the President and by him to the Congress, and the Governors and the legislatures of the participating States a comprehensive, coordinated, joint plan, or any major portion thereof or necessary revisions thereof, for water and related land resources development in the area, river basin, or group of river basins for which such commission was established. Before the commission submits such a plan or major portion thereof or revision thereof to the Council, it shall transmit the proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and each Interstate agency, from which a member of the commission has been appointed, and to the head of the United States section of any international commission if the plan, portion or revision deals with a boundary water or a river crossing a boundary, or any tributary flowing into such boundary water or river, over which the international commission has jurisdiction or for which it has responsibility. Each such department and agency head, Governor, interstate agency, and United States section of an international commission shall have ninety days from the date of the receipt of the proposed plan, portion, or revision to report its views, comments, and recommendations to the commission. The commission may modify the plan, portion, or revision after considering the reports so submitted. The views, comments, and recommendations submitted by each Federal department or agency head, Governor, interstate agency,

and United States section of an international commission shall be transmitted to the Council with the plan, portion, or revision; and

"(4) submit to the Council at the time of submitting such plan, any recommendations it may have for continuing the functions of the commission and for implementing the plan, including means of keeping the plan up to date.

"Powers and administrative provisions of the commissions"

"SEC. 205. (a) For the purpose of carrying out the provisions of this title, each river basin commission may—

"(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable;

"(2) acquire, furnish, and equip such office space as is necessary;

"(3) use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States;

"(4) employ and compensate such personnel as it deems advisable, including consultants, at rates not to exceed \$100 per diem, and retain and compensate such professional or technical service firms as it deems advisable on a contract basis;

"(5) arrange for the services of personnel from any State or the United States, or any subdivision or agency thereof, or any intergovernmental agency;

"(6) make arrangements, including contracts, with any participating government, except the United States or the District of Columbia, for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for or continuing in another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel;

"(7) purchase, hire, operate, and maintain passenger motor vehicles; and

"(8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

"(b) The chairman of a river basin commission, or any member of such commission designated by the chairman thereof for the purpose, is authorized to administer oaths when it is determined by a majority of the commission that testimony shall be taken or evidence received under oath.

"(c) To the extent permitted by law, all appropriate records and papers of each river basin commission shall be made available for public inspection during ordinary office hours.

"(d) Upon request of the chairman of any river basin commission, or any member or employee of such commission designated by the chairman thereof for the purpose, the head of any Federal department or agency is authorized (1) to furnish to such commission such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such commission on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

"(e) The chairman of each river basin commission shall, with the concurrence of the vice chairman, appoint the personnel employed by such commission, and the chairman shall, in accordance with the general policies of such commission with respect to the work to be accomplished by it and

the timing thereof, be responsible for (1) the supervision of personnel employed by such commission, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditure of funds available to such commission.

"Compensation of commission members"

"SEC. 206. (a) Any member of a river basin commission appointed pursuant to section 202 (b) and (c) of this Act shall receive no additional compensation by virtue of his membership on the commission, but shall continue to receive, from appropriations made for the agency from which he is appointed, the salary of his regular position when engaged in the performance of the duties vested in the commission.

"(b) Members of a commission, appointed pursuant to section 202 (c) and (d) of this Act, shall each receive such compensation as may be provided by the States or the interstate agency respectively, which they represent.

"(c) The per annum compensation of the chairman of each river basin commission shall be determined by the President, but when employed on a full-time annual basis shall not exceed the maximum scheduled rate for grade GS-13 of the Classification Act of 1949, as amended; or when engaged in the performance of the commission's duties on an intermittent basis such compensation shall be not more than \$100 per day and shall not exceed \$12,000 in any year.

"SEC. 207. (a) Each commission shall recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission's expenses shall be otherwise apportioned as the commission may determine. Each commission shall prepare a budget annually and transmit it to the Council and the States. Estimates of proposed appropriations from the Federal Government shall be included in the Budget estimates submitted by the Council under the Budgeting and Accounting Act of 1921, as amended, and may include an amount for advance to a commission against State appropriations for which delay is anticipated by reason of later legislative sessions. All sums appropriated to or otherwise received by a commission shall be credited to the commission's account in the Treasury of the United States.

"(b) A commission may accept for any of its purposes and functions appropriations, donations, and grants of money, equipment, supplies, materials, and services from any State or the United States or any subdivision or agency thereof, or intergovernmental agency, and may receive, utilize, and dispose of the same.

"(c) The commission shall keep accurate accounts of all receipts and disbursements. The accounts shall be audited at least annually in accordance with generally accepted auditing standards by independent certified or licensed public accountants, certified or licensed by a regulatory authority of a State, and the report of the audit shall be included in and become a part of the annual report of the commission.

"(d) The accounts of the commission shall be open at all reasonable times for inspection by representatives of the jurisdictions and agencies which make appropriations, donations, or grants to the commission.

"TITLE III—FINANCIAL ASSISTANCE TO THE STATES FOR COMPREHENSIVE PLANNING GRANT AUTHORIZATIONS"

"SEC. 301. (a) In recognition of the need for increased participation by the States in water and related land resources planning to be effective, there are hereby authorized to be appropriated to the Council for the next fiscal year beginning after the date of enactment of this Act, and for the nine succeeding fiscal years thereafter, \$5,000,000 in each such year for grants to States to assist them in de-

veloping and participating in the development of comprehensive water and related land resources plans.

"(b) The Council, with the approval of the President, shall prescribe such rules, establish such procedures, and make such arrangements and provisions relating to the performance of its functions under this title, and the use of funds available therefor, as may be necessary in order to assure (1) coordination of the program authorized by this title with related Federal planning assistance programs, including the program authorized under section 701 of the Housing Act of 1954 and (2) appropriate utilization of other Federal agencies administering programs which may contribute to achieving the purpose of this Act.

"Allotments"

"SEC. 302. (a) From the sums appropriated pursuant to section 301 for any fiscal year the Council shall from time to time make allotments to the States, in accordance with its regulations, on the basis of (1) the population, (2) the land area, (3) the need for comprehensive water and related land resources planning programs, and (4) the financial need of the respective States. For the purposes of this section the population of the States shall be determined on the basis of the latest estimates available from the Department of Commerce and the land area of the States shall be determined on the basis of the official records of the United States Geological Survey.

"(b) From each State's allotment under this section for any fiscal year the Council shall pay to such State an amount which is not more than 50 per centum of the cost of carrying out its State program approved under section 303, including the cost of training personnel for carrying out such program and the cost of administering such program.

"State programs"

"SEC. 303. The Council shall approve any program for comprehensive water and related land resources planning which is submitted by a State, if such program—

"(1) provides for comprehensive planning with respect to intrastate or interstate water resources, or both, in such State to meet the needs for water and water-related activities taking into account prospective demands for all purposes served through or affected by water, and related land resources development, with adequate provision for coordination with all Federal, State, and local agencies, and nongovernmental entities having responsibilities in affected fields;

"(2) provides, where comprehensive statewide development planning is being carried on with or without assistance under section 701 of the Housing Act of 1954, or under the Land and Water Conservation Fund Act of 1965, for full coordination between comprehensive water resources planning and other statewide planning programs and for assurances that such water resources planning will be in conformity with the general development policy in such State;

"(3) designates a State agency (hereinafter referred to as the 'State agency') to administer the program;

"(4) provides that the State agency will make such reports in such form and containing such information as the Council from time to time reasonably requires to carry out its functions under this title;

"(5) sets forth the procedure to be followed in carrying out the State program and in administering such program; and

"(6) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for keeping appropriate accountability of the funds and for the proper and efficient administration of the program. The Council shall not disapprove any program without first giving reasonable notice and opportunity for hearing to the State agency administering such program.

"Review"

"SEC. 304. Whenever the Council after reasonable notice and opportunity for hearing to a State agency finds that—

"(a) the program submitted by such State and approved under section 303 has been so changed that it no longer complies with a requirement of such section; or

"(b) in the administration of the program there is a failure to comply substantially with such a requirement, the Council shall notify such agency that no further payments will be made to the State under this title until it is satisfied that there will no longer be any such failure. Until the Council is so satisfied, it shall make no further payments to such State under this title.

"Payments"

"SEC. 305. The method of computing and paying amounts pursuant to this title shall be as follows:

"(1) The Council shall, prior to the beginning of each calendar quarter or other period prescribed by it, estimate the amount to be paid to each State under the provisions of this title for such period, such estimate to be based on such records of the State and information furnished by it, and such other investigation, as the Council may find necessary.

"(2) The Council shall pay to the State, from the allotment available therefor, the amount so estimated by it for any period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which it finds that its estimate of the amount to be paid such State for any prior period under this title was greater or less than the amount which should have been paid to such State for such prior period under this title. Such payments shall be made through the disbursing facilities of the Treasury Department, at such times and in such installments as the Council may determine.

"Definition"

"SEC. 306. For the purpose of this title the term 'State' means a State, the District of Columbia, Puerto Rico, or the Virgin Islands.

"Records"

"SEC. 307. (a) Each recipient of a grant under this Act shall keep such records as the Chairman of the Council shall prescribe, including records which fully disclose the amount and disposition of the funds received under the grant, and the total cost of the project or undertaking in connection with which the grant was made and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(b) The Chairman of the Council and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant that are pertinent to the determination that funds granted are used in accordance with this Act.

*"TITLE IV—MISCELLANEOUS"**"Authorization of appropriations"*

"SEC. 401. There are authorized to be appropriated not to exceed \$300,000 annually, to carry out the provisions of title I of this Act, not to exceed \$6,000,000 annually to carry out the provisions of title II, and not to exceed \$400,000 annually for the administration of title III: *Provided*, That, with respect to title II, not more than \$750,000 annually shall be available for any single river basin commission.

"Rules and regulations"

"SEC. 402. The Council is authorized to make such rules and regulations as it may deem necessary or appropriate for carrying

out those provisions of this Act which are administered by it.

"Delegation of functions"

"SEC. 403. The Council is authorized to delegate to any member or employee of the Council its administrative functions under section 105 and the detailed administration of the grant program under title III.

"Utilization of personnel"

"SEC. 404. The Council may, with the consent of the head of any other department or agency of the United States, utilize such officers and employees of such agency on a reimbursable basis as are necessary to carry out the provisions of this Act."

And the House agree to the same.

WAYNE N. ASPINALL,
WALTER ROGERS,
LEO W. O'BRIEN,
JOHN P. SAYLOR,
JOE SKUBITZ,

Managers on the Part of the House.

CLINTON P. ANDERSON,
HENRY M. JACKSON,
FRANK CHURCH,
THOMAS H. KUCHEL,
GORDON ALLOTT,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill, S. 21, to provide for the optimum development of the Nation's natural resources through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning, submit this statement in explanation of the effect of the language agreed upon and recommended in the accompanying conference report. The language agreed upon is essentially the language of the House amendment except as herein noted.

INTERBASIN TRANSFERS OF WATER

The conference committee adopted language in the form of an additional disclaimer in section 3 which relates to studies of the transfer of waters between areas that are under the jurisdiction of more than one river basin commission or similar planning entity. The language states that nothing in the act shall be construed—

"(d) As authorizing any entity established or acting under the provisions hereof to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission."

This language is intended to make it clear that the authority which is given to the Water Resources Council and to the river basin commissions established under S. 21 does not include authority to study and report upon the transfer of waters between basins or areas that are appropriate for planning on a comprehensive basis. In other words, no river basin commission established under this act will have authority to study the importation of water into the area over which it has jurisdiction from any other basin or related group of river basins under the jurisdiction of another river basin commission or entity performing the planning function of a river basin commission. Neither could a river basin commission study the exportation of water from the basin or area under its jurisdiction.

Likewise, the authority given the Council under this act does not include authority to study the transfer of waters between basins or areas covered by river basin commissions or similar planning entities.

In summary, the conference committee, by the adoption of this language, takes the position that authority to study, plan, or rec-

ommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or similar planning entity is beyond the scope of this legislation. It should be clearly understood that this language is not applicable to and does not affect the existing authority of Federal agencies, interstate compact commissions, or other entities which have water resources planning responsibilities.

LEGISLATION NOT TO AFFECT THE COLUMBIA RIVER BASIN TREATY

The Senate-passed bill included language providing that the jurisdiction and powers of the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty shall not be affected by this legislation. The conference committee retained this language.

JURISDICTION OF THE COURTS OVER WATER MATTERS

Subsection 3(d) of the House-passed bill was not retained by the conference committee. This disclaimer relating to jurisdiction of the courts over water matters was considered by the conference committee to be unnecessary.

PUBLIC HEARINGS IN CONNECTION WITH THE ESTABLISHMENT OF PLANNING PROCEDURES NOT REQUIRED

The House-passed bill included language requiring the Water Resources Council to hold public hearings in connection with the establishment of principles, standards, and procedures for Federal participants in the preparation of river basin plans and for the formulation and evaluation of Federal water projects. Public hearings in connection with the establishment of such planning procedures seemed to the conference committee to be unnecessary and inappropriate. The conference committee adopted substitute language requiring, instead of public hearings, consultation with other interested entities, both Federal and non-Federal, as the Council may find appropriate.

EMPLOYMENT OF PROFESSIONAL OR TECHNICAL SERVICE FIRMS

The conference committee amended the language of section 205(a)(4) to make it clear that the river basin commissions could employ professional or technical service firms in carrying out their duties and responsibilities under this act. There was never any intention to prohibit the employment of such firms in addition to individuals and consultants, but the matter has been clarified because of the concern of numerous engineering firms throughout the country.

AUTHORIZATION OF APPROPRIATIONS

The House language with respect to the authorization of appropriations was retained by the conference committee except that the annual amount authorized to be appropriated for the operation of the Water Resources Council under title I was increased from \$150,000 annually to \$300,000 annually—\$150,000 annually seemed to the conference committee to be inadequate in view of the important work and responsibilities assigned to the Council under the legislation. This change raises the ceiling on appropriations to \$6,700,000 annually compared to \$6,550,000 in the House-passed bill and \$10 million in the Senate-passed bill. These amounts do not include the \$5 million authorized to be appropriated annually for 10 years to assist the States in water resources planning.

WAYNE N. ASPINALL,
WALTER ROGERS,
LEO W. O'BRIEN,
JOHN P. SAYLOR,
JOE SKUBITZ,

Managers on the Part of the House.

TO ESTABLISH CONTROLS FOR DEPRESSANT AND STIMULANT DRUGS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2) to protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act to establish special controls for depressant and stimulant drugs and counterfeit drugs, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, line 17, strike out (A).

Page 3, line 21, strike out all after "4761" down to and including "organization" in line 23.

Page 3, line 25, strike out all after "shall" over to and including "committees," in line 1 on page 4.

Page 7, line 8, after "household," insert: "In any criminal prosecution for possession of a depressant or stimulant drug in violation of this subsection (which is made a prohibited act by section 301(q)(3)), the United States shall have the burden of proof that the possession involved does not come within the exceptions contained in clauses (1) and (2) of the preceding sentence."

Page 11, strike out all after line 13 over to and including line 24 on page 15 and insert: "(g)(1) The Secretary may, from time to time, appoint a committee of experts to advise him with regard to any of the following matters involved in determining whether a regulation under subparagraph (2)(C) or (3) of section 201(v) should be proposed, issued, amended, or repealed: (A) whether or not the substance involved has a depressant or stimulant effect on the central nervous system or a hallucinogenic effect, (B) whether the substance involved has a potential for abuse because of its depressant or stimulant effect on the central nervous system, and (C) any other scientific question (as determined by the Secretary) which is pertinent to the determination of whether such substance should be designated by the Secretary pursuant to subparagraph (2)(C) or (3) of section 201(v). The Secretary may establish a time limit for submission of the committee's report. The appointment, compensation, staffing, and procedure of such committees shall be in accordance with subsections (b) (5) (D), and the admissibility of their reports, recommendations, and testimony at any hearing involving such matters shall be determined in accordance with subsection (d) (2), of section 706. The appointment of such a committee after publication of an order acting on a proposal pursuant to section 701(e) (1) shall not suspend the running of the time for filing objections to such order and requesting a hearing unless the Secretary so directs.

"(2) Where such a matter is referred to an expert advisory committee upon request of an interested person, the Secretary may, pursuant to regulations, require such person to pay fees to pay the costs, to the Department, arising by reason of such referral. Such fees, including advance deposits to cover such fees, shall be available, until expended, for paying (directly or by way of reimbursement of the applicable appropriations) the expenses of advisory committees under this subsection and other expenses arising by reason of referrals to such committees and for refunds in accordance with such regulations."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. SPRINGER. Mr. Speaker, reserving the right to object, I would expect the chairman of the committee, the gentleman from Arkansas [Mr. HARRIS] to give an explanation of the amendments.

Mr. HARRIS. Mr. Speaker, if the gentleman will yield, I shall be glad briefly to explain.

Mr. Speaker, the Senate amendments to H.R. 2, the Drug Abuse Controls Amendments of 1965, make three changes in that bill.

The bill provides greater controls over depressant and stimulant drugs and makes possession of these drugs outside of the legitimate channels of trade a criminal offense, except if the possession is for the personal use of the possessor or a member of his household, or for administration to an animal owned by him or a member of his household.

The first amendment which I will discuss provides that in criminal prosecutions involving the possessor of drugs, the burden of proof shall be upon the United States, that the possession is not within the exceptions stated. This amendment is in the nature of a clarifying amendment and is consistent with our intent in passing the bill.

The second amendment which I will discuss involves the use of advisory committees to make scientific determinations with respect to the coverage of drugs under this legislation. Under the bill as passed by the House, advisory committees were required to be appointed upon the request of any interested person and could have been utilized to delay the effectiveness of orders issued by the Secretary.

The Senate amended this provision to make the appointment of advisory committees discretionary with the Secretary, but encouraged the use of outside consultants by the Secretary. It is my understanding that this amendment is not objected to by the industry, and I suggest its approval.

The last amendment of substance made by the Senate deletes the provision of the House bill which provided that the term "depressant or stimulant drug" does not include peyote used in connection with ceremonies of a bona fide religious organization.

Some concern has been expressed to many by the religious groups affected, and by certain civil liberties organizations concerning the possible impact of this amendment on religious practices protected by the first amendment to the Constitution.

Two court decisions have been rendered in this area in recent years. One, a decision by Judge Yale McFate in the case of *Arizona v. Attakai*, No. 4098, in the superior court of Maricopa County, Phoenix, Ariz., July 26, 1960; and a California decision, *People against Woody*, decided August 24, 1964, in the Supreme Court of California. Both these cases held that prosecutions for the use of peyote in connection with religious ceremonies was a violation of the first amendment to the Constitution.

In view of all this, I requested the views of the Food and Drug Administra-

tion and have been assured that the bill, even with the peyote exemption appearing in the House-passed bill, cannot forbid bona fide religious use of peyote.

Mr. Speaker, I ask unanimous consent to include the letter from the Food and Drug Administration at this point in my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The letter referred to is as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, FOOD AND DRUG ADMINISTRATION,

Washington, D.C., July 2, 1965.

HON. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: In response to your request we are stating the position the Food and Drug Administration expects to take if H.R. 2 becomes law as it passed the Senate, with respect to the use of peyote in religious ceremonies.

We have been advised by a representative of the North American Church that this church is a bona fide religious organization and that peyote has bona fide use in the sacrament of the church. The representative has agreed to document both of these statements.

If the church is a bona fide religious organization that makes sacramental use of peyote, then it would be our view that H.R. 2, even without the peyote exemption which appeared in the House-passed version, could not forbid bona fide religious use of peyote. We believe that the constitutional guarantee of religious freedom fully safeguards the rights of the organization and its communicants.

Sincerely yours,

GEORGE P. LARRICK,
Commissioner of Food and Drugs.

Mr. HARRIS. Mr. Speaker, in view of the foregoing, I recommend that the House agree to the Senate amendments to H.R. 2.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, did the gentleman from Arkansas say that one of these amendments encouraged the use of outside consultants?

Mr. HARRIS. The bill, as considered by the other body, provided for advisory committees in the discretion of the Secretary. The report suggested to the Department that outside consultants be used. It did not become a part of the amendment or the bill.

Mr. GROSS. In all conscience I cannot conceive of a conference committee or a committee of either the House or the Senate, encouraging any agency or department of the Government to use consultants, because they will do that without any encouragement. Why give them encouragement to put more people on the payroll by this indirect method?

Mr. HARRIS. May I remind the gentleman that on scientific questions it is necessary to obtain information, and advisory committees and consultants are useful for this purpose. But I would also emphasize that it is not included in the House report, nor is it included in the

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D. C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U. S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued July 14, 1965
For actions of July 13, 1965
89th-1st; No. 126

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HIGHLIGHTS: Senate passed agricultural appropriation bill and independent offices appropriation bill. Senate took up housing and urban development bill. House agreed to conference report on cigarette labeling bill. House agreed to conference report on water resources bill. Rep. Cooley introduced farm bill.

SENATE

1. AGRICULTURAL APPROPRIATION BILL, 1966. By a vote of 86 to 2, passed with amendments this bill, H. R. 8370 (pp. 16034, 16035-55). Conferees were appointed (p. 16055). House conferees have not yet been appointed. Agreed to the committee amendments en bloc (pp. 16039-40). Agreed to an amendment by Sen. Hart to provide \$157 million for the school lunch program, rather than \$155 million as reported by committee, with the additional \$2 million to be used for special assistance to needy schools (pp. 16040-3). Agreed to an amendment by Sen. Bass to provide an additional \$75,000 for watershed protection which he stated was "for the purpose of allowing a comprehensive river basin study of all streams draining through Shelby County, Tenn." (pp. 16043-4).

2. INDEPENDENT OFFICES APPROPRIATION BILL, 1966. By a vote of 84 to 2, passed with amendments this bill, H. R. 7997 (pp. 16008-27). Conferees were appointed (p. 16027). House conferees have not yet been appointed. A point of order was sustained against a proposed amendment by Sen. Dirksen to provide \$6,386,800,000 for financing the U. S. liability on payments to the Civil Service retirement fund (pp. 16016-26). This bill includes funds for civil defense and defense mobilization functions of Federal agencies; disaster relief fund of the President; Civil Service Commission; Federal Power Commission; Federal Trade Commission; General Accounting Office; General Services Administration; Housing and Home Finance Agency; Interstate Commerce Commission, and National Science Foundation.
3. D. C. APPROPRIATION BILL, 1966. Agreed to the conference report on this bill, H. R. 6453. This bill will now be sent to the President. pp. 16079-16111
4. HOUSING. S. 2213, the housing and urban development bill was made the unfinished business (p. 16056.) Sen. Douglas reviewed the purpose and certain provisions of the bill (pp. 16057-67). Sens. Tower, Javits, and Miller submitted amendments intended to be proposed to this bill (pp. 16033, 16120).
5. SILK; FOREIGN TRADE. The Finance Committee reported with amendments H. R. 5768, to extend for an additional temporary period the existing suspension of duties on certain classifications of yarn of silk (S. Rept. 433). p. 16120
6. MARKETING. Sen. Hart spoke in support of S. 985, the proposed truth-in-packaging bill, and inserted a letter by Mrs. Esther Peterson in support of the bill. pp. 16056-7
7. BUDGET DEFICIT. Sen. Smathers commended the announcement that the U. S. budget deficit for fiscal 1965 was lower than originally predicted and inserted an article on the matter. pp. 16074-5
8. RESEARCH. Sen. Proxmire expressed concern over possible Federal domination of research at colleges and universities as a result of increasing financial support of science by the Government, and inserted an article, "The Support of Science in the United States." pp. 16075-7
9. AGRICULTURE. Sen. Morse inserted a letter reviewing economic development in Ore., including agriculture and forestry. pp. 16111-3
10. LEGISLATIVE PROGRAM. Sen. Mansfield announced that the housing and urban development will be considered today, July 14, and, possibly, the conference report on the water resources development bill. p. 16056

HOUSE

11. CIGARETTE LABELING. Agreed to the conference report on S. 559, the cigarette labeling bill (pp. 15959-66, 15998-9). This bill will now be sent to the President.
12. WATER RESOURCES. Agreed to the conference report on S. 21, the proposed Water Resources Planning Act (pp. 15966, 16001-2). See digest 123 for provisions of this bill.

The bill now before us is so ineffectual that it is virtually useless. But, more important, it is a direct infringement on a fine executive agency whose purpose is to serve the public by protecting it against commercial deception. If the truth about the very real danger of cigarette smoking is not made 100 percent clear to the American people, we are assuredly being deceived by the tobacco industry.

I strongly urge this House to reject the conference report on S. 559 in favor of strong legislation which will be in the best interest of the health and future of the American people.

Mr. RUMSFELD. Mr. Speaker, I rise in opposition to acceptance of the Federal Cigarette Labeling and Advertising Act conference report. This legislation, supported by the cigarette lobby, will prevent any Government authority—Federal, State, or local—from requiring health hazard warnings in cigarette advertising until July 1969. This bill will preempt this area not only from State or local activity, but also will prohibit action by the FTC, the duly authorized, independent regulatory agency.

It flies in the face of the unanimous Surgeon General's Advisory Committee on Smoking and Health report. The Advisory Committee consisted of 10 outstanding private physicians and scientists selected by the Attorney General with the approval of the cigarette industry.

At the same time, believe it or not, the Congress continues to waste millions of taxpayers' dollars by subsidizing tobacco while appropriating increasingly large sums of money for medical research, including cancer, and health care. These obviously conflicting efforts point up, I believe, the idiocy of continued tobacco subsidies.

The heart of the issue, however, with respect to S. 559, is whether the FTC should be stripped of its authority to require health hazard warnings in cigarette advertising, if it deems such action advisable.

Careful studies done by the FTC show that the industry in 1964 had advertising expenditures in all the uses of mass media of nearly \$260 million. We are all familiar how such advertising in particular influences our young people.

I urge the House to reject the conference report. If we reject the conference report the FTC and/or other governmental units will not be prohibited from any activity. Further, if the Congress desires a more careful look at this problem, sufficient time remains during this session to consider, report, and pass a more reasonable bill of less sweeping implications.

Mr. HARRIS. Mr. Speaker, your conferees have done the best they could under the circumstances. We believe we have a good conference report.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. Boggs). The question is on the adoption of the conference report.

The question was taken.

Mr. BOLLING. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and ninety-three Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 285, nays 103, answered "present" 1, not voting 44, as follows:

[Roll No. 185]

YEAS—285

| | | |
|----------------|-----------------|----------------|
| Abernethy | Edwards, Ala. | McDade |
| Adair | Ellsworth | McDowell |
| Adams | Evans, Colo. | McMillan |
| Anderson, | Everett | Macdonald |
| Tenn. | Evins, Tenn. | MacGregor |
| Andrews, | Fallon | Machen |
| George W. | Farnsley | Mackay |
| Andrews, | Farnum | Mahon |
| Glenn | Fascell | Mallillard |
| Annunzio | Feighan | Marsh |
| Arends | Findley | Martin, Ala. |
| Ashbrook | Fino | Martin, Mass. |
| Ashmore | Fisher | Martin, Nebr. |
| Aspinall | Flynt | Matthews |
| Ayres | Fogarty | May |
| Baldwin | Foley | Meeds |
| Bandstra | Ford, Gerald R. | Michel |
| Baring | Fountain | Millis |
| Barrett | Frelinghuysen | Minshall |
| Bates | Fulton, Pa. | Mize |
| Battin | Fulton, Tenn. | Moeller |
| Beckworth | Fuqua | Monagan |
| Belcher | Garmatz | Moore |
| Bell | Gathings | Morgan |
| Bennett | Gettys | Morris |
| Betts | Glaimo | Morrison |
| Boggs | Glilgan | Morse |
| Boland | Goodell | Mosher |
| Bolton | Greigg | Murphy, Ill. |
| Bray | Grider | Murphy, N.Y. |
| Brock | Griffin | Murray |
| Brooks | Griffiths | Natcher |
| Broomfield | Gross | Nelsen |
| Brown, Ohio | Grover | O'Brien |
| Broyhill, N.C. | Gubser | O'Hara, Mich. |
| Broyhill, Va. | Gurney | O'Konski |
| Buchanan | Hagan, Ga. | Olsen, Mont. |
| Burke | Hailey | O'Neal, Ga. |
| Burleson | Hall | Passman |
| Byrne, Pa. | Haileck | Patman |
| Byrnes, Wis. | Haipern | Pelly |
| Cabell | Hamilton | Perkins |
| Cahlil | Hanley | Philbin |
| Callan | Hansen, Iowa | Pickle |
| Callaway | Hansen, Wash. | Pirnie |
| Carey | Hardy | Poage |
| Carter | Harris | Poff |
| Casey | Harsha | Price |
| Cederberg | Harvey, Mich. | Pucinski |
| Chamberlain | Hathaway | Purcell |
| Chelf | Hechler | Quile |
| Clancy | Henderson | Quilien |
| Clark | Herlong | Reid, Ill. |
| Clawson, Del. | Hicks | Reifel |
| Cleveland | Horton | Reinecke |
| Collier | Hosmer | Rhodes, Ariz. |
| Colmer | Hull | Rivers, Alaska |
| Conable | Hungate | Rivers, S.C. |
| Cooley | Huot | Roberts |
| Corbett | Hutchinson | Robison |
| Cramer | Ichord | Rogers, Colo. |
| Culver | Irwin | Rogers, Fla. |
| Cunningham | Jacobs | Rogers, Tex. |
| Curtin | Jennings | Ronan |
| Curtis | Johnson, Pa. | Rooney, N.Y. |
| Daddario | Jonas | Rooney, Pa. |
| Dague | Jones, Mo. | Rostenkowski |
| Davis, Ga. | Karsten | Roudebush |
| Davis, Wls. | Keith | Satterfield |
| Dawson | Keily | St. Germain |
| de la Garza | Kirwan | St. Onge |
| Dent | Kiuczynski | Saylor |
| Denton | Kornegay | Schisler |
| Devine | Kunkel | Schmidhauser |
| Dickinson | Lalrd | Schneebell |
| Dingell | Landrum | Scott |
| Donohue | Langen | Selden |
| Dorn | Latta | Senner |
| Dowdy | Lennon | Shipley |
| Dulski | Lipscomb | Sikes |
| Duncan, Tenn. | Long, La. | Slack |
| Dwyer | McCulloch | |

| | | |
|----------------|-----------------|--------------|
| Smith, Calif. | Thomson, Wls. | Whalley |
| Smith, Iowa | Trimble | White, Idaho |
| Smith, N.Y. | Tuck | White, Tex. |
| Smith, Va. | Tupper | Whitener |
| Springer | Tuten | Whitten |
| Stafford | Ullman | Williams |
| Staggers | Utt | Willis |
| Stanton | Waggonner | Wilson, Bob |
| Stephens | Walker, Miss. | Wolf |
| Stubblefield | Walker, N. Mex. | Wright |
| Taylor | Watkins | Wyatt |
| Teague, Calif. | Watson | Young |
| Tenzer | Watts | Younger |
| Thompson, Tex. | Weltner | Zablocki |

NAYS—103

| | | |
|----------------|-----------------|-------------|
| Addabbo | Hagen, Calif. | Pepper |
| Anderson, Ill. | Hanna | Race |
| Andrews, | Hansen, Idaho | Redlin |
| N. Dak. | Hawkins | Reid, N.Y. |
| Bingham | Hays | Resnick |
| Biatnik | Heistoski | Reuss |
| Boiling | Howard | Rhodes, Pa. |
| Brademas | Johnson, Calif. | Rodino |
| Brown, Calif. | Karth | Roncallo |
| Burton, Calif. | Kastenmeller | Roosevelt |
| Burton, Utah | King, Utah | Rosenthal |
| Cameron | Krebs | Roush |
| Cievrer | Leggett | Roybal |
| Cohelan | Long, Md. | Rumsfeld |
| Conte | Love | Scheuer |
| Conyers | McCarthy | Schwelker |
| Corman | McClary | Secret |
| Danels | McFall | Sickles |
| Deaney | McGrath | Sisk |
| Derwinski | Mackie | Stalbaum |
| Dow | Madden | Stratton |
| Duncan, Oreg. | Mathias | Sullivan |
| Dyai | Matsunaga | Sweeney |
| Erlenborn | Miller | Talcott |
| Farbsteln | Minish | Udall |
| Flood | Mink | Van Deerrin |
| Ford, | Moorhead | Vank |
| William D. | Moss | Vigorito |
| Fraser | Multer | Vivian |
| Gallagher | Nedzi | Wldnail |
| Gibbons | Nix | Wilson, |
| Gilbert | O'Hara, Ill. | Charles H. |
| Gonzalez | Olson, Minn. | Wylder |
| Grabowski | O'Neill, Mass. | Yates |
| Green, Oreg. | Ottlinger | |
| Green, Pa. | Patten | |

ANSWERED "PRESENT"—1

Joelson

NOT VOTING—44

| | | |
|-----------------|----------------|----------------|
| Abbltt | Friedel | McVicker |
| Albert | Gray | Morton |
| Ashley | Harvey, Ind. | Pool |
| Berry | Hébert | Powell |
| Bonner | Holifield | Randall |
| Bow | Holland | Ryan |
| Celler | Jarman | Shriver |
| Clausen, | Johnson, Okla. | Skubitz |
| Don H. | Jones, Ala. | Steed |
| Craley | Kee | Teague, Tex. |
| Diggs | Keogh | Thomas |
| Doie | King, Calif. | Thompson, N.J. |
| Downing | Kling, N.Y. | Todd |
| Edmondson | Lindsay | Toll |
| Edwards, Calif. | McEwen | Tunney |

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Keogh for, with Mr. Thompson of New Jersey, against.

Mr. Hébert for, with Mr. Celler against.

Mr. Abbitt for, with Mr. Ashley against.

Mr. Friedel for, with Mr. Edwards of California, against.

Mr. Pool for, with Mr. Powell against.

Mr. Downing for, with Mr. Ryan against.

Mr. Kee for, with Mr. Holifield against.

For this day:

Mr. Edmondson with Mr. Berry.

Mr. Tunney with Mr. Don H. Clausen.

Mr. Craley with Mr. Shriver.

Mr. Todd with Mr. Dole.

Mr. Toll with Mr. McEwen.

Mr. Bonner with Mr. King of New York.

Mr. Holland with Mr. Skubitz.

Mr. Johnson of Oklahoma with Mr. Morton.

Mr. Randall with Mr. Bow.

Mr. Diggs with Mr. Lindsay.
 Mr. Gray with Mr. Harvey of Indiana.
 Mr. Teague of Texas with Mr. McVicker.
 Mr. King of California with Mr. Steed.
 Mr. Jones of Alabama with Mr. Jarman.

Mr. GLENN ANDREWS changed his vote from "nay" to "yea."

Mr. DANIELS changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that all Members who may desire to do so may extend their own remarks in the RECORD just prior to the vote on the conference report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CORRECTION OF ROLL CALL

Mrs. BOLTON. Mr. Speaker, on the last rollcall vote I was present on the floor and answered when my name was called and I voted "yea." I understand that I was not recorded and evidently I was not heard when I voted. I ask that the rollcall be corrected accordingly.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DEVELOPMENT OF THE NATION'S NATURAL RESOURCES

Mr. ASPINALL. Mr. Speaker, I call up the conference report on the bill (S. 21) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The SPEAKER. The Clerk will read the statement of the managers on the part of the House.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of July 8, 1965.)

Mr. ASPINALL. Mr. Speaker, the report has been printed and has been available for several days. I ask unanimous consent that the further reading of the statement be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Colorado [Mr. ASPINALL].

Mr. ASPINALL. Mr. Speaker, the adoption by the Congress of the con-

ference report on S. 21 will bring to a successful conclusion 6 years of study and consideration of this legislation by the Committee on Interior and Insular Affairs and many additional years of study by executive agencies, commissions, etc. Legislation providing for effective Federal-State comprehensive river basin planning was recommended in the 1951 report of the Water Resources Policy Commission appointed by President Truman and the 1955 Report of the Presidential Advisory Committee on Water Resources Policy appointed by President Eisenhower.

Mr. Speaker, it was in 1959 that I first introduced legislation similar to that which is up today for final approval. In July, 1961 the first administration-sponsored measure was recommended to the Congress by President Kennedy.

The purpose of this legislation is to encourage and make possible the prudent development of the Nation's water and related land resources through sound, comprehensive and coordinated planning. An ample supply of good quality water is essential if the United States is to continue to grow and prosper. As our available supplies dwindle in relation to the increasing needs of our cities, our industries, and agriculture, it is important that we plan the use of our Nation's available supplies to provide maximum benefits to all purposes—providing water for domestic and industrial use and for irrigation, controlling floods, preventing pollution, assisting navigation, providing hydroelectric power and energy, providing outdoor recreation opportunities and fish and wildlife enhancement, and others. Almost daily, there are headline stories in our papers calling attention to water shortages and critical water situations throughout the Nation—East as well as the West. The planning mechanisms authorized by this legislation should greatly assist this national water resources planning effort and the development and management of our water resources.

A Cabinet level water Resources Council will be established with responsibility for guiding the Nation's planning effort in the water resources field and keeping the President and the Congress informed of the water needs of the Nation.

River basin planning commissions will be established on the basis of need and upon request of the States involved. They will prepare and keep up to date comprehensive, integrated joint plans for Federal, State, interstate, local, and nongovernmental development of water and related land resources.

During the next 10 years, financial assistance will be provided to the States for water resources planning on a dollar-for-dollar matching basis. This will enable the States to play a more effective role in the planning, development, and conservation of their water resources.

The present responsibilities of the Federal Government or of the States relative to the development, control, or use of water will be neither expanded nor diminished by this legislation. Existing laws will not be modified or superseded and planning commissions will not be established where adequate planning is presently being accomplished by some

other means. The preparation of detailed plans for individual projects and the construction and operation of projects will continue to be the responsibility of appropriate Federal agencies, States, municipalities, local groups, or nongovernmental entities.

As indicated in the statement of managers on the part of the House the language of the conference report is, for the most part, the language of the House-passed bill. The provision adopted by the conference committee prohibiting any entity established by this legislation from studying the transfer of waters between areas under the jurisdiction of more than one river basin commission or a similar planning entity has caused considerable comment. I want to make it clear that this simply means that the authority for such studies is beyond the scope of this legislation. There is no intention to indicate such studies are not needed or to prejudge the merits of any proposal to study the transfer of waters between major river basins. It simply means that the authority for such studies must be based upon other than this legislation or must be obtained by additional authorization by the Congress.

I, for one, believe that such a study is needed at the present time in connection with critical water needs of the Colorado River Basin, but I believe the study should be specifically authorized so that all the States involved and others interested will know what we are doing and why, and there will be a clear understanding of the objectives of the study.

Mr. Speaker, because of the direct relationship between our Nation's water supplies and its economic well-being, I consider this conference report to be one of the most important measures that this Congress will approve. I am extremely pleased to be able to recommend its adoption.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Iowa.

Mr. GROSS. Were there amendments to the bill by the other body?

Mr. ASPINALL. Only the one amendment of any importance.

Mr. GROSS. The amendments are germane to the bill?

Mr. ASPINALL. All amendments are germane to the bill.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD.)

[Mr. SAYLOR addressed the House. His remarks will appear hereafter in the Appendix.]

COINAGE ACT OF 1965

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 435 and ask for its immediate consideration.

The Clerk read the resolution as follows:

proval of the proposal which was presented to us and upon which we had a chance to act and impart our stamp of approval upon it.

STATUE OF LIBERTY NATIONAL MONUMENT

(Mr. HELSTOSKI (at the request of Mr. Moss) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HELSTOSKI. Mr. Speaker, on May 11, 1965, I had the distinct pleasure to be present at the White House when President Johnson issued a proclamation adding Ellis Island to the Statue of Liberty National Monument.

In issuing this proclamation that this tiny island in New York Bay become a part of the Statue of Liberty National Monument, President Johnson took cognizance of the fact that it has a deep significance for over 16 million immigrants who first set foot upon American soil when they arrived at historic Ellis Island.

This event, at the White House, was more than just an invitation to me to be present at a ceremonial event. It was a memorable occasion because my parents, both immigrants from Poland, first set foot upon the land of the free and the home of the brave, when they landed at Ellis Island.

Ellis Island came into Federal possession in the year 1800. The Federal Bureau of Immigration took over the facilities of the island in 1890 to develop it as an immigration station, and, between 1892 and 1954, when the use of Ellis Island as an immigration depot was discontinued, nearly 70 percent of all the immigrants coming to these shores used this island as a steppingstone to a better way of life.

The greatness of America has come in no small measure from the millions who passed through the gates and doors of Ellis Island. They came seeking freedom, liberty and refuge from the unsettled condition of their homeland, with high hopes of finding peace of mind and heart.

America has offered opportunity to all who dreamed and hoped for that one new and better chance to improve their lot, and found it waiting for them in America. The immigrants who passed through Ellis Island and who have attained prominence in our country made a very significant contribution to the rise of the United States to a position of world power.

America has grown to greatness because its people have a full right to citizenship throughout the Nation. They have the right to choose their position in life, be it high or low—a life of failure or success.

The proclamation of President Johnson to include Ellis Island in the National Park System will relieve the overcrowded conditions at Liberty Island and I hope that one day there will be a bridge built from the New Jersey shore to Liberty Island so that it will provide easy access to this shrine of liberty; so that our younger people can visit the Goddess of

Liberty, and that our senior citizens who came to this country through Ellis Island can again visit this door of opportunity which opened a new life for them.

Standing as a beacon, inviting all people to come under the shelter of our Nation, the Statue of Liberty stands in majestic glory as a symbol of freedom. Together with the added facilities of Ellis Island it will permit an easier access to this Goddess of Liberty.

In this time of world stress it is proper that we repeat a portion of the poem of Emma Lazarus which is engraved upon a tablet within the pedestal of the statue, which so aptly describes this Nation's acceptance of the many who still come to these shores each year.

I quote the significant portion of the poem.

Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tost to me,
I lift my lamp beside the golden door.

A GREAT MAN IN MEXICO

(Mr. GONZALEZ (at the request of Mr. Moss) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. GONZALEZ. Mr. Speaker, I take this welcomed opportunity to call the attention of my colleagues and the American people in general about some of the great words of wisdom and courage recently spoken in Mexico by a man who I sincerely believe will go down in history as one of the most distinguished, inspired, and intelligent leaders of the Americas. I speak of President Gustavo Diaz Ordaz, of Mexico.

Too often our news media overlooks, or just simply does not have the space, to bring us up to date about some of the transcendently important doings in our neighboring country of Mexico. I have been fortunate enough to have been receiving some of the publications widely read and disseminated in Mexico and have been greatly impressed by some of the doings and sayings of this great President, Gustavo Diaz Ordaz, of Mexico.

On June 7, Mexico commemorated Freedom of the Press Day and the President of Mexico was the guest of honor at a luncheon marking this anniversary. A distinguished Mexican journalist, Miguel Lanz Duret, on behalf of the Mexican press and journalists, made an introductory speech honoring the President. The President, in his reply, had some priceless sentiments to express in most eloquent language. I take the liberty of quoting some—translation mine:

If you dedicate yourselves to telling me in honorable fashion the truth, whether it be bright or be it gloomy, bitter or joyful * * * but always the truth * * * and I in turn dedicate myself to listening and heeding it * * * we then shall have served Mexico loyally and efficiently.

Also:

Only can we be truly free when we learn to be truly responsible.

I intend to have more to say about the accomplishments of this great leader, be-

cause I believe we should be aware and cognizant of his great worth.

(Mr. GONZALEZ (at the request of Mr. Moss) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

[Mr. GONZALEZ' remarks will appear hereafter in the Appendix.]

VALIDITY OF THE IMPORTANCE OF FARM ECONOMY TO THE TOTAL ECONOMY

(Mr. HANSEN of Iowa (at the request of Mr. Moss) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANSEN of Iowa. Mr. Speaker, recently the Council Bluffs Nonpareil printed an editorial regarding the improvement in the economic situation of farmers during the early part of 1965. The editorial is of value to legislators in determining validity of the importance of farm economy to the total economy of our Nation. It also indicates the reason why a strong farm program is imperative if we are to maintain our current farm economy. I commend this editorial to my colleagues as an indication of the concern we must feel for vibrant and comprehensive farm programs. The editorial follows:

AREA HOG PRODUCERS ENJOYING EXCELLENT PRICES IN 1965

Most of the experts thought 1965 would be a good hog year but nobody expected anything like this. Hogs at this writing have hit a top of \$26 in both Omaha and Chicago, a new 11-year high.

The new Government forecast shows that hog production for the balance of this year will continue far below normal. Although it has often been said that it is easy to increase hog numbers with good prices, this year seems to disprove the theory.

Actually, what is beginning to show up is the age of the Nation's farmers. Raising hogs is hard work and is no job for old men. With most farm jobs becoming easier through new automated machinery, the business of raising hogs still remains tedious, dirty and time consuming.

Right here in one of the heaviest hog producing areas in the entire country, there are many farms today that do not raise any hogs. As farms are joined together, corn production remains high but the production of livestock does not increase proportionately.

How high the hog price can go is anybody's guess. It is about \$3 or \$4 per hundredweight higher than was predicted and statistics would tend to prove that slaughter numbers will remain low enough to cause a real good year. Accustomed through the last 4 or 5 years to a marginal income, present-day prices are a welcome event.

DEVELOPMENT OF THE NATION'S NATURAL RESOURCES

(Mr. RYAN (at the request of Mr. Moss) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, New York City residents, currently suffering the consequences of bad water planning, deeply appreciate the need for intelli-

gent water legislation. As the principal city in the State which ranks first in Federal taxes paid but third to last in per capita Federal expenditures, New York is also vitally interested in water planning decisions in other parts of the country. For it is New Yorkers who are disproportionately charged with interest subsidies to water users under our reclamation laws. And it is New Yorkers who pay three times over when costly projects misallocate water to the growth of surplus crops—first for the interest subsidy, again for more costly farm programs, and finally through higher food prices.

Yet it is New Yorkers who have perhaps the least to hope for from today's bill. The most conspicuous reason for doubt is the conferee's sudden addition of section 3(d), barring the Federal Council or a Basin Commission from so much as studying the feasibility of transferring water between adjacent river basins. This patently irrational restriction was apparently added at the insistence of Columbia River Basin users to avoid diversion of water to the Southwest. Although this may be an intelligent decision in that area, it threatens to hobble critical planning in the East.

New York, for instance, is a member of an interstate compact governing the Delaware River Basin and draws waters from that source. It is also developing a water recovery project on the Hudson, designed to merge with aqueducts carrying water from the Delaware. Economic recovery of Hudson water may require mixing of waters from both sources and it will certainly necessitate integrated planning of aqueduct capacities.

While it is fair to say that this is all being done a decade too late, it is equally fair to wonder whether S. 21, had it been enacted in 1955, would have helped or hindered. If it had passed then, some \$30 million would by now have been spent by the planning authorities of the Hudson and Delaware Basins, all of it subject to the bar on studying or recommending inter-basin water transfers. What New York is now doing it would have had to do alone, and against the entire weight of well-financed and contrary water policy.

Section 3(d) of the present bill is just the last and most dramatic instance of the regrettable weakening which this bill has undergone. As it passes today it represents something less than a halting step forward, because it enlists at least \$11.7 million a year of Federal and State planning money to the flag of a still-balkanized Federal water policy. New Yorkers who desperately seek a little more water to spill down the drain may rightly imagine that this bill means only a little more money instead. Although I support it, I will shortly introduce new legislation designed to bring national water policy closer in line with the needs of the Nation's population centers.

TWO WARS—TWO ENEMIES

(Mr. WAGGONER (at the request of Mr. Moss) was granted permission to extend his remarks at this point in the

Record and to include extraneous matter.)

Mr. WAGGONER. Mr. Speaker, I commend to the attention of all my fellow Members an editorial which appeared in the July 4 issue of the Shreveport Times, "Two Wars—Two Enemies."

Much that is contained in this editorial is common knowledge here in Washington, though it is little talked about. Much of it represents the opinion of many Members who, for various reasons, find it politically unwise to take this position. With but a single exception, I wholeheartedly endorse what is stated here. The exception is that sentence in which the writer states that except for the Republicans, Mr. Johnson would have no real political leadership behind him as to Vietnam. The backbone of his support is bipartisan.

I cannot count on the fingers of both my hands the times I have stood here in the well and stated my support of the President's strong stand in Vietnam and these sentiments have been strongly echoed on the Democratic side of the aisle. But, aside from this, the editorial makes telling and true points of undeniable fact and I urge you to study it. The Times editorial follows:

TWO WARS—TWO ENEMIES

Former Secretary of the Army Robert T. Stevens (under Eisenhower), returning from a Presidential mission to southeast Asia, told Mr. Johnson that present American forces of more than 70,000 men in South Vietnam must be doubled—soon, if we expect to keep the Communists in full check during the summer monsoon season (now underway) when high winds, squalls, and cloud banks tend to nullify the supreme air power of the United States.

The Joint Chiefs of Staff are understood to have told the President that the American forces may have to total 300,000 by early next year if we are to do more than spar back and forth with the Reds.

Other military authorities estimate that if the Communists turn to real war—which seems certain—the United States may have to send in approximately 800,000 men, the total used in Korea.

The situation is so critical right now that, according to Washington dispatches, President Johnson has himself awakened at 3 a.m. every night to receive the reports from Vietnam on casualties, American bombing and other combat (it is then around noon in southeast Asia).

In this critical situation President Johnson is fighting two wars with two enemies. One enemy is the combat Communist enemy in South Vietnam. On our success against it rests the future security of freedom against communism.

The other enemy is made up of numerous individuals and organizations in this country who seek to undermine the President, politically or otherwise, in his conduct of the combat war overseas.

These are the radicals, the so-called intellectual liberals, segments of college faculties and student bodies, the liberal press, substantial segments of the clergy, and radical and leftist and liberal television commentators; as well as one of the TV networks, which seems so often to find "news" in anything that will hamper the President's Vietnam war efforts and further the activities of those who fight him in this country.

If the United States—and the free world—lose the war in Vietnam, it will be because the war here in the the United States was lost first.

If the radicals and leftists and liberals and the conglomeration of this and that from beatniks to bishops have their way, Mr. Johnson will be undermined and will have to carry out another back-down and no-win appeasement of communism of the type that marked the administrations of two of his predecessors in Korea and Cuba, in Berlin and the Congo; in fact, to some extent in every confrontation we have had with communism at the international level since World War II approached its end.

Right now, leadership in this country against Mr. Johnson in his efforts to bring victory in Vietnam gravitates somewhat toward ROBERT F. KENNEDY, the Massachusetts Senator from New York and brother of the assassinated President, and Senator J. WILLIAM FULBRIGHT, of Arkansas (both Democrats); as well as in, of course, the liberal and radical advocacies in the big liberal newspapers and on the TV networks.

There is no need to document the fact that "the Kennedys" of today and "the Johnsons" are, behind the scenes, vigorous political enemies. Today's Kennedys accepted Mr. Johnson in 1960 simply because their brother insisted on having the Texan as his running mate. They never wanted him politically or socially or in any other way.

After the assassination, BOBBY KENNEDY assumed that the 1964 vice presidential nomination was his without asking—until Mr. Johnson, suddenly, publicly, dumped him.

"The Kennedys" clearly have been waiting a chance openly to buck the President of the United States on some major issue—and few could doubt, indeed, that ROBERT F. KENNEDY hopes in some way to deprive Mr. Johnson of renomination in 1968 and perhaps to get the nomination for himself.

The peg on which to hang an attack on the President came with the Dominican trouble—Vietnam was not a good peg at the time because President Kennedy was involved. Senator KENNEDY seized on the Dominican situation to turn against the President. Then he made a speech, inimical to the President as to Vietnam, in the Senate a few days ago, after first telephoning various Senators to be sure to hear him, tipping off newspapermen as to the "importance" of what he would say, and generally building up a big ballyhoo. The speech obviously was meant to hamper and harass the President of the United States in his conduct of war with a foreign power. It opened the doors for an avalanche of radical and liberal attack on the President. Such attack now had "Kennedy prestige."

Senator FULBRIGHT constantly advocates negotiation with the Communists on Vietnam on the basis of the 1954 negotiations which created the present nations of southeast Asia. It is violation of those negotiations by the Communists that has brought on the present war. What does Senator FULBRIGHT want the Reds to do; sign again? And if they do, and we do, what will that mean? And just how can we negotiate with the Reds when from Moscow to Peiping to Hanoi they jeer at the mere thought of negotiations. Senator FRANK CHURCH, of Idaho, followed KENNEDY with what seemed almost a vicious and slurring attack on the President's policies. All these men are Democrats.

Senator MIKE MANFIELD, Democratic Party leader in the Senate, who has never made a secret of his opposition to the President's Vietnam policies, tried to get himself off his own hook the other day by criticizing the Republicans because a GOR House leader said that the President might lose Republican support if he yielded to the appeasers—the radicals and liberals of the Democratic Party. But for the Republicans, Mr. Johnson would have no real political leadership behind him as to Vietnam in the Capital. The Republicans are willing to

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HIGHLIGHTS; Senate debated housing bill, including title on rural housing. Senate agreed to conference report on water resources development bill. Rep. Cabel praised USDA inspection services.

SENATE

1. HOUSING LOANS. Began debate on S. 2213, on housing and urban redevelopment, including a title on rural housing loans (pp. 16132, 16137-42, 16149-90). Sen. Kuchel submitted, but later withdrew, a proposed amendment to provide that the terms "rural" and "rural area" mean any area, open country, place, town, village, or city having a population of 5,500 inhabitants or less that is not part of or associated with an urban area, after Sen. Sparkman assured him that this question would be considered by the conference committee (p. 16172). Agreed to a unanimous-consent agreement by Sen. Mansfield to limit further debate on the bill and amendments beginning Thurs., July 15 (p. 16185).

2. WATER RESOURCES. Agreed to the conference report on S. 21, the proposed Water Resources Planning Act (pp. 16142-4). This bill will now be sent to the President. See Digest 123 for provisions of this bill.

Sens. Anderson, McGee, and Javits expressed concern over the water shortage in many parts of the Nation and inserted an article, "Special Report: A Nation Can Dry Up." pp. 16127-9, 16130-2, 16134-7

3. SALINE WATER. Conferees were appointed on S. 24, to expand, extend, and accelerate the saline water conversion program conducted by Interior (p. 16144). House conferees have not yet been appointed.
4. ELECTRIFICATION. Sen. Thurmond criticized Secretary of the Interior Udall's "attempt to block Duke Power Co. from constructing a proposed \$700 million power generating complex" in S. C., and inserted several items in support of his criticism. pp. 16190-5
5. WATERSHEDS. The Public Works Committee approved plans for works of improvement on the following watersheds: Cooper Creek, Ark.; Lower Little Tallapoosa River, Ga. and Ala.; Limestone Stream, Me.; Long Creek, Miss.; Tuscumbia River, Miss. and Tenn.; Grindstone-Lost-Muddy Creek, Mo.; Stewarts Creek-Lovills Creek, N. C. and Va.; Uncle John Creek, Okla.; Upper Elk Creek, Okla.; Wilson Spring Creek, Tenn.; Attoyac Bayou, Tex.; Castleman Creek, Tex.; Donahoe Creek, Tex.; and Ferron, Utah. pp. 16124-5
6. BUILDINGS. Sen. McNamara submitted a listing of public building prospectuses approved by the Public Works Committee. pp. 16123-4

HOUSE

7. INSPECTION SERVICES. Rep. Cabell praised the "highly valuable but little publicized" quarantine service of USDA stating that it "has saved consumers and the economy untold millions of dollars." p. 16252
8. FARM PROGRAM. Rep. MacGregor inserted an article, "The Back of Freeman's Hand," critical of the Secretary's "ridicule" of those who have "questioned Department proposals." pp. 16260-1
Rep. Findley called the farm bill the "most expensive...in the history of farm legislation" and inserted a 4-year breakdown of the estimated costs. pp. 16261-2
Rep. Purcell spoke in favor of the farm bill and said, "Let us not be fooled by any fraudulent 'bread tax' arguments against it." p. 16281
9. PERSONNEL. The Rules Committee reported a resolution for the consideration of H. R. 8469, to provide certain increases in annuities payable from the civil service retirement and disability fund. p. 16206
10. HIGHWAYS. The Public Works Committee reported with amendment H. R. 6790, to increase the limitation on emergency relief for the repair or reconstruction of highways under 23 U.S.C. 125 (H. Rept. 614). p. 16286
11. ATOMIC ENERGY; ELECTRIFICATION. The Rules Committee reported a resolution for the consideration of H. R. 8856, to amend the Atomic Energy Act to clarify the intent of Congress regarding regulation of the sale, generation, or transmission of electric power produced through the use of nuclear facilities licensed by the Atomic Energy Commission. pp. 16251-2
12. EDUCATION. The Education and Labor Committee was granted until midnight July 14 to file a report on H. R. 9567, the proposed Higher Education Act. p. 16252

Senator from Oregon, who is a valuable member of our Banking and Currency Committee, for the remarks which she has just made. Frankly, I must say that the proposal comes to me completely cold.

Mrs. NEUBERGER. Yes; I know that.

Mr. SPARKMAN. I wish to be helpful, and I know that the Senator from Oregon believes me. I am sure that the committee also wishes to be helpful. However, I am so completely unfamiliar with the facts relative to the case that I wonder whether the Senator would not be willing to have it taken to conference—it is already in the House bill—and rely upon my promise to be as sympathetic in conference as the facts will allow me to be, and let us keep it at the stage where at least we can do some further work on it if that should be necessary.

The Senator realizes that if we accept the amendment, then our hands would be tied and it would not go to conference. I should like to take it to conference, because then we can get at the facts and study them, and perhaps receive more information from the Senator from Oregon and work it out with the House conferees.

I am sure that the Senator from Texas [Mr. TOWER] would agree with me that we would be sympathetic to the amendment. I am sure that the Senator from Texas knows more about it than I do.

Mr. TOWER. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. TOWER. Let me say that I associate myself with the position of the Senator from Alabama on this matter, and would like to supplement his pledge with mine that I would be very much inclined to be sympathetic, too, in conference and, therefore, would subscribe to the position of the Senator from Alabama.

Mrs. NEUBERGER. I appreciate those remarks. I know how sympathetic the two Senators would be.

Let me reiterate that adoption of the amendment would not be bailing out anyone. It is just an unfortunate situation which has suddenly arisen. This retirement home is not poorly financed or ill-conceived. It was really getting caught in a bind with the State of Oregon concerning the financing plan. I am sure that my colleague, Mr. MORSE, would agree with me on that.

Mr. MORSE. Mr. President, will the Senator from Alabama yield?

Mr. SPARKMAN. I yield.

Mr. MORSE. Let me say to the Senator from Alabama that I completely associate myself with the position taken by my colleague [Mrs. NEUBERGER]. This is an equitable and a fair amendment. We are not asking for any special consideration. We are simply asking the committee to do equity based on the facts which my colleague has presented.

The Senator from Alabama expresses his sympathetic interest, which is very much appreciated. I hope that in conference, if we can supply any additional information in support of the amendment, the Senator will feel free to call upon us.

Mr. SPARKMAN. I certainly shall do that. If the Senator from Oregon [Mrs. NEUBERGER] would withhold her amendment for the time being, it will be taken to conference and will give us the opportunity to take a good look at it.

Mrs. NEUBERGER. Mr. President, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. SPARKMAN. Mr. President, under existing law, ceilings on the mortgage amount under section 221(d)(3) housing vary from \$8,000 per unit without a bedroom to \$17,000 per unit with three or more bedrooms. Elevator apartment units may have higher ceilings up to \$20,000 for a three-bedroom unit. On top of this, dollar ceilings may be increased by 45 percent in high cost areas. It is possible therefore to have a \$29,000 maximum in some high cost areas.

However, rent supplement payment will be made only with respect to housing constructed in accordance with the standards that have been met for the existing section 221(d)(3) below-market interest rate, moderate-income housing program. Under that program, the FHA cannot insure a mortgage if the rentals required to amortize the mortgage are greater than the rent that can be paid by a family whose income is less than the median income in the community. Mortgage limits for each community are restricted to the amount required to build in that community a garden-type project of modest standards that such a family can afford to rent. Elevator-type projects are permitted only if they can be built within the cost limitations prescribed for garden-type projects.

In the 4 years that the section 221(d)(3) below-market interest rate program has been in operation, the average amount of a mortgage per unit under the program has been approximately \$12,500. If the rent supplement program had been in operation during this 4-year period, the average amount of a mortgage per unit under the program would have been about the same.

SUBSIDY UNDER RENT SUPPLEMENT COMPARED WITH PUBLIC HOUSING

The amount of the rent supplement payment that may be made on behalf of a particular family will never be greater than the amount of the subsidy that would be paid for that same family in a newly built public housing unit of comparable size. As to average costs, it is estimated that the average subsidy cost under rent supplements would run about \$40 a month per unit—the level of the subsidy for public housing units currently being built runs about \$58 a month per unit.

There are several reasons for the lower subsidy cost in the rent supplement program. Land and construction costs in the rent supplement program would be less than in the public housing program. There will be available to sponsors of rent supplement projects a much wider range of selections of sites, including suburban and outlying land, and generally no clearance would be involved. In addition, certain special construction requirements that add to the cost of pub-

lic housing would not apply to housing constructed under the rent supplement program.

Under the rent supplement program, the occupant would be required to pay 25 percent of his income for rent compared to the general 20-percent requirement under the public housing program.

These factors alone—lower land and construction costs and greater payments by occupants—will offset the advantages of low-interest rate loans through tax exemptions in the public housing program. In addition, of course, the tax exemption accorded income on bonds issued in the public housing program involves a very substantial loss of revenue to the Treasury and this represents a cost that must be borne by other tax sources. It is estimated that the tax exemption of the income on public housing bonds now costs the Treasury \$48 million a year in revenues.

Finally, the local property tax exemption accorded public housing represents a very substantial local contribution and is also a part of the economic cost of public housing.

LEASE WITH OPTION TO PURCHASE

The lease-with-option-to-purchase part of the rent supplement program will make it possible for families, who have the potential to raise their incomes to the point where they can carry a modest home without subsidy, to rent the home at a price they can afford with their present incomes and exercise their option to purchase the home when they can afford, without assistance, to carry it.

OPERATION OF LEASE-WITH-OPTION-TO-PURCHASE PROGRAM

Under the lease-with-option-to-purchase part of the rent supplement program, an eligible family would rent a detached, semidetached, or row house in a project of such homes, and rent supplements would be paid in the same manner as for rent supplement units in other projects. When the income of the family had increased sufficiently so that it could afford to pay the full rent, the rent supplements would be terminated and the family would purchase the unit it occupied with the aid of an FHA-insured section 221 home mortgage.

It is estimated that perhaps 20 percent of the units receiving rent supplements would be the lease-with-option-to-purchase type.

NO WINDFALL TO LEASE-WITH-OPTION PURCHASER OR OWNER OF PROJECT

Neither the tenant under a lease-with-option-to-purchase arrangement, nor the project owner, will receive a windfall when the tenant exercises his option and purchases the unit with respect to which rent supplement payments have been made.

The Housing Agency contract with the owner-sponsor will require that the option to purchase give the tenant the right to buy at the FHA-appraised value of the unit at the time he exercises his option. If the FHA-appraised value and the sales price are greater than the outstanding balance in the original 221(d)(3) market-rate mortgage with respect to that unit, the amount by which the

sales price exceeds the outstanding balance will be returned to the Federal Government.

In the usual case, the house will have depreciated in value approximately to the same extent that the original mortgage has been amortized and there would be no sales proceeds in excess of the outstanding mortgage balance.

In no event, would it be feasible to sell a unit for less than the outstanding mortgage balance since the sponsor would not be able to repay the debt secured by the unit if the sales price did not equal at least the outstanding balance.

DEVELOPMENT OF THE NATION'S NATURAL RESOURCES—CONFERENCE REPORT

Mr. ANDERSON. Madam President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 21) to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of July 8, 1965, pp. 15406-15409, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ANDERSON. Madam President, today the President of the United States issued a statement pointing out that the water resources of this country need to be mobilized, both in the East and in the West, and stating further that the Water Resources Council, of which Secretary of the Interior Stewart L. Udall is Chairman, will be convened immediately, together with the officials of Federal agencies concerned with water resources "to assess what further actions might be taken to assist the States in meeting the problems now confronting the New England and Middle Atlantic region."

The bill has been before Congress for more than 4 years. The Senate passed it at one time, but the House did not act on it. Now the House has acted on it. There was a difference between the Senate and the House which related to compacts between various groups. That problem has been solved.

I should like to have the attention of the Senator from California and the Senator from Arizona, because they are both interested in this type of legislation. We hope to have it passed in short order.

Mr. TOWER. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TOWER. Madam President, I ask unanimous consent that further proceedings under the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ANDERSON. Madam President, the conference report provides for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

The conferees met and discussed the subject fully. The conference report is signed by all conferees on both sides of the aisle. I hope it may be adopted promptly. I understand that some Senators desire to ask questions. I hope they may be dealt with promptly.

Mr. KUCHEL. Madam President, the purpose of S. 21, to provide for the development of the Nation's natural resources, in the text now before us in the conference report, is of course an admirable and laudable one.

I believe it is fair to say that it is designed to encourage the prudent and reasonable development of the Nation's water and related land resources through comprehensive and coordinated planning in which the governments of our several States would participate.

I ask Senators to listen carefully to my remarks because I want some confirmation of my understanding of the intent of the bill.

The bill is designed to create certain entities and then provide jurisdiction for those entities by which the water resources of each river basin in America, composed in the main of more than one State, would be suitably cataloged under the provisions of the bill.

I invite attention to section 3 of the bill, as it appears in the conference report. I ask unanimous consent that the entire text of section 3 be printed at this point in the RECORD.

There being no objection, the section was ordered to be printed in the RECORD, as follows:

EFFECT OF EXISTING LAWS

SEC. 3. Nothing in this Act shall be construed—

(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

(b) to change or otherwise affect the authority or responsibility of any Federal official in the discharge of the duties of his office except as required to carry out the provisions of this Act with respect to the prepa-

ration and review of comprehensive regional or river basin plans and the formulation and evaluation of Federal water and related land resources projects;

(c) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources or to exercise licensing or regulatory functions in relation thereto, except as required to carry out the provisions of this Act, nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or the International Boundary and Water Commission, United States and Mexico;

(d) as authorizing any entity established or acting under the provisions hereof to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission.

Mr. KUCHEL. Madam President, I refer to section 3, which reads in part:

Nothing in this act shall be construed (d) as authorizing any entity established or acting under the provisions hereof to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission.

I assume the legislative intent to be that the bill, as it is now before the Senate, would restrict the jurisdiction of study by commissions to be set up in any river basin in the country, to the needs of that particular river basin.

My able friend the Senator from New Mexico indicates his agreement by nodding his head.

Mr. ANDERSON. Yes. I inform the distinguished Senator from California that is the purpose.

Mr. KUCHEL. Madam President, I refer to the CONGRESSIONAL RECORD of yesterday, in which the distinguished chairman of the Committee on Interior and Insular Affairs of the House of Representatives, in discussing the conference report, said, at page 15966 of the CONGRESSIONAL RECORD:

The provision adopted by the conference committee prohibiting any entity established by this legislation from studying the transfer of waters between areas under the jurisdiction of more than one river basin commission or a similar planning entity has caused considerable comment. I want to make it clear that this simply means that the authority for such studies is beyond the scope of this legislation. There is no intention to indicate such studies are not needed or to prejudge the merits of any proposal to study the transfer of waters between major river basins. It simply means that the authority for such studies must be based upon other than this legislation or must be obtained by additional authorization by the Congress.

That reflects my understanding of the intention of the legislation.

I ask the able and distinguished Senator from New Mexico if that is correct.

Mr. ANDERSON. That is my understanding.

I invite the attention of the able Senator from California to the language in the House report which states:

No river basin commission established under this act will have authority to study the importation of water into the area over which it has jurisdiction from any other basin.

Madam President, I ask unanimous consent that a portion of page 12 of the report be printed at this point in the RECORD.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

INTERBASIN TRANSFERS OF WATER

The conference committee adopted language in the form of an additional disclaimer in section 3 which relates to studies of the transfer of waters between areas that are under the jurisdiction of more than one river basin commission or similar planning entity. The language states that nothing in the act shall be construed—

"(d) As authorizing any entity established or acting under the provisions hereof to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission."

This language is intended to make it clear that the authority which is given to the Water Resources Council and to the river basin commissions established under S. 21 does not include authority to study and report upon the transfer of waters between basins or areas that are appropriate for planning on a comprehensive basis. In other words, no river basin commission established under this act will have authority to study the importation of water into the area over which it has jurisdiction from any other basin or related group of river basins under the jurisdiction of another river basin commission or entity performing the planning function of a river basin commission. Neither could a river basin commission study the exportation of water from the basin or area under its jurisdiction.

Likewise, the authority given the Council under this act does not include authority to study the transfer of waters between basins or areas covered by river basin commissions or similar planning entities.

Mr. KUCHEL. Madam President, I believe that is important because apparently all Members of Congress understand that the President himself has recommended that Congress give consideration to the water needs of the entire Nation through a suitable study, something of which I most sincerely and enthusiastically approve.

I look upon the people of the United States as one society in which some are blessed and others are not, in various categories of natural resources, including water. However, I am free to concede that that problem is not involved in this legislation, which restricts the entities created in its provisions to a certain kind of study, a study of each basin by those who are most interested in it, those who live there, with the cooperation of the Government of the United States.

The provisions of the bill will operate only on that which is created by its terms. Therefore, we should wait, as men of good will trying to organize and achieve a solution to the problems, by which solution all sections of the coun-

try may be benefited after a suitable study by a commission under the chairmanship, in this body, of my able friend the Senator from Washington [Mr. JACKSON].

Mr. JACKSON. Madam President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. JACKSON. Madam President, I believe that Senators, in examining the conference report, must keep in mind that this is a river basin planning proposal.

What we did in connection with the meeting of the conferees was to make clear that there would not be any misunderstanding of this point. It was limited to river basin studies on the basis of Federal, State, and local cooperation.

This is a new legal vehicle, created for the purpose of permitting Federal, State, and local entities to have an opportunity to work and plan together within each river basin.

This language was put in to make sure that the purpose would be confined exactly to what the original sponsors of the bill had said it would be.

I should say to my able and distinguished friend the Senator from California that I am deeply concerned about water problems all over the country.

The able Senator from New Mexico very properly referred to the announcement from the Associated Press tape which stated the President has asked the Water Resources Council to look into the acute situation that exists in the Delaware River Basin, affecting particularly the States of New Jersey and New York, in which water rationing is in effect for human consumption.

Madam President, at this time I ask unanimous consent to have printed at this point in the RECORD the item from the ticker tape to which the Senator from New Mexico referred.

There being no objection, the item was ordered to be printed in the RECORD, as follows:

WASHINGTON.—President Johnson asked administration agencies today for a report within a week on how resources of the Federal Government can be mobilized to help cope with the serious water shortage in the East.

The report will come from a water resources council of which Secretary of the Interior Stewart L. Udall is chairman. The President asked Udall to convene the council immediately, together with officials of Federal agencies concerned with water resources, "to assess what further actions might be taken to assist the States in meeting the problems now confronting the New England and Middle Atlantic region."

The council, Johnson said in a statement, will obtain the views of the Delaware River Basin Commission. This is involved because New York draws water from the Delaware Basin and the river is so low now that salt water from lower reaches of the river is threatening the Philadelphia water supply.

The President announced his action after a conference with Buford Ellington of the Office of Emergency Planning.

Mr. JACKSON. Mr. President, I say to my able and distinguished friend from California that we, as members of the committee, feel that we have a national responsibility. We want to look at the water problems throughout the country

and see to it, within the jurisdiction of our committee, that we discharge our responsibilities. I assure the Senator that we are trying to do this.

As the Senator knows, because he has worked very closely with the Senator from New Mexico on the water desalination program, the State of California and other States of the southwest, including Arizona, New Mexico, and Nevada, face very real problems in this area.

We are attempting to study vigorously and fairly every possible means of expediting the water desalination program. It offers great promise, as the Senator knows, for obtaining not only water, but electric power. I believe the Bechtel report, sponsored jointly by the Metropolitan Water District, Department of Interior, and AEC, which was given considerable publicity recently, indicates that we shall be able to get the cost of water through that process down to as little as 21.4 cents per thousand gallons. This is one approach we have pushed vigorously in the committee.

I know of the Senator's deep concern and I appreciate, as do all the members of the committee, his desire for a continuous effort to try to find a solution that will be fair and equitable to all the States.

Mr. KUCHEL. I could not ask for any more freely stated or more constructive statement than the Senator has given, because the problem of water is a national problem.

What some of us, including the Senator from New Mexico, the Senator from Washington, and other Senators, undertook several years ago, pioneering in the legislative field for the development of potable water taken from the seas and from brackish water was a great piece of legislation. I was associated with that effort. I continue to put myself in that position.

My reason for rising on this occasion is to make it abundantly clear that such recommendations as the President has made to meet the national water needs would not be interfered with by the proposed legislation.

Mr. FANNIN. Madam President, since the State I represent is vitally concerned with the water problem also, and I am vitally concerned with what has been said in the past few days regarding the drought areas and the necessity for better water distribution in the various States that need it, I would like to pose some questions to the Senator from New Mexico.

The Secretary of the Interior has under study what is known as the North American water and power alliance and the Pacific Southwest water plan. Does the Senator feel that this bill interferes with those programs?

Mr. ANDERSON. I do not.

Mr. FANNIN. Does the Senator think this legislation will be helpful in these programs?

Mr. ANDERSON. I think whatever information we can get will help make possible the development of additional plans at the proper time.

Mr. FANNIN. Then the Senator is not concerned that this bill will impede the

studies now in progress and contemplated.

Mr. ANDERSON. No, indeed; not at all; because this act could well be, in the final analysis of help to every area that is short of water in the country.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. JACKSON. Madam President, I move to reconsider the vote by which the conference report was agreed to.

Mr. ANDERSON. Madam President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXPANSION OF SALINE WATER CONVERSION PROGRAM

Mr. ANDERSON. Madam President, I ask the Chair to lay before the Senate the amendment of the House of Representatives to S. 24.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 24) to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, and for other purposes, which was, to strike out all after the enacting clause and insert:

That in order to expand, extend, and accelerate the saline water conversion program conducted by the Secretary of the Interior, the Act of July 3, 1952 (66 Stat. 328), as amended (42 U.S.C. 1951 et seq.), is hereby further amended as follows:

(1) In section 2(b) add the words "module, component," after the word "laboratory".

(2) In section 8 substitute the figure "\$85,000,000" for the figure "\$75,000,000".

Mr. ANDERSON. Madam President, I move that the Senate disagree to the amendment of the House and ask for a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JACKSON, Mr. ANDERSON, Mr. BIBLE, Mr. KUCHEL, and Mr. ALLOTT conferees on the part of the Senate.

DEATH OF HON. ADLAI E. STEVENSON

Mr. DOUGLAS. Madam President, the ticker tape has just conveyed the sad news of the sudden death of Hon. Adlai Stevenson. This is a great loss to the world and the Nation, as well as to our own State of Illinois.

Governor Stevenson was the Governor of the State of Illinois for 4 years, and made a distinguished record as chief executive.

He was twice the Democratic candidate for the presidency of the United States, and although he was unsuccessful in each instance, he raised the whole level of political discussion in this Nation and afforded an example to all politicians of the way in which a candidate should make an honorable campaign for high office.

In 1961, Adlai Stevenson was appointed as our official representative in

the United Nations, and for more than 4 years he represented the United States in that body.

In that capacity he always defended the legitimate interests of the United States. At the same time he sought for world peace and won the respect and affection of the people of the world.

His death is a great loss to all of us. It is a personal loss to me because when he ran for Governor I ran for the U.S. Senate, and we have always been political associates and personal friends.

We shall miss Governor Stevenson very much, but we are grateful for the example which he set, and the Nation is richer in both a spiritual and intellectual sense because of the fact that he lived.

Mr. JAVITS. Madam President, will the Senator from Illinois yield?

The PRESIDING OFFICER. Will the Senator from Illinois yield to the Senator from New York?

Mr. DOUGLAS. I yield.

Mr. JAVITS. I yield to the Senator from Colorado, who was a colleague of Governor Stevenson.

The PRESIDING OFFICER. The Senator from Colorado, is recognized.

Mr. ALLOTT. Madam President, I appreciate the distinguished Senator from New York yielding.

I wish to add a word to what the distinguished Senator from Illinois has said about the unfortunate death of Adlai Stevenson.

It is not an unusual thing that many of the political philosophies which he embraced and those which I embrace are pretty far apart, at opposite ends of the poles.

Nevertheless as a delegate to the United Nations in 1962, at the 17th General Assembly, appointed by President Kennedy, I had an opportunity to see the Ambassador in his work and in action. That period was during the Cuban crisis, in which times were extremely difficult.

In tribute to Adlai Stevenson, I have always regarded him since that time as a personal friend. He recognized the political ideological differences which separated us, and yet, in any conference of the American delegation, he always gave a full opportunity for me to express my views, and those views were not simply expressed and discarded. They were given full consideration along with the views of everyone else.

I feel that no matter how any one may have differed from him politically, he was a man who served his country well, and served his country to the maximum of his ability.

He was a brilliant man.

I feel a deep sense of loss in the tragic news that we have just received.

Mr. JAVITS. Madam President, I join my colleagues in this tribute to Adlai Stevenson. I am deeply shocked and grieved by his sudden passing. I knew him well. For many years he lived in New York City. I visited his home, and he visited ours. I often had contacts with him in connection with his work as U.S. Representative to the United Nations.

In a moment like this, everything is laid aside except the knowledge that his was one of the most eloquent voices that

freedom has ever known in all mankind's history.

As the distinguished senior Senator from Colorado [Mr. ALLOTT] has said, not only was Adlai Stevenson a brilliant man; his brilliance found a remarkably gracious, memorable, and even unique expression, not only in the United States, but throughout the world.

Perhaps the greatest tribute we can pay to so distinguished an American, who literally laid down his life for the cause of our country's advancement and for freedom in the world—because he really did nothing else but work in the last 10 years and, I know, for years before that, when I did not know him so well—is to say that he was in every sense of the word the representative of the United States at the United Nations, that great world hope for peace and rule by law instead of rule by force.

Every American can be proud that Adlai Stevenson epitomized in his person and in his advocacy what every American would expect of the voice of the United States in the United Nations in its expressiveness, in its idealism, in its practical content, and in the great influence which he had upon his colleagues and upon the representatives of other nations by the sheer force of his character, intellect, integrity, and ideas.

No American, regardless of party, need stint in any way in praise and tribute to Adlai Stevenson.

Mr. AIKEN. Madam President, I can add little to what has already been said concerning the untimely death of Adlai Stevenson. It has been my privilege to work with him for several years. He worked conscientiously and well. He was respected by the people of all countries, whether they agreed with his positions or not. It is most unfortunate that at a time like this, when he is perhaps needed more than ever, he should be called away.

Mr. KUCHEL. Madam President, the news is stunning, and the great and grievous loss to our country and to the cause of freedom is most profound and overwhelming.

The late Adlai Stevenson was superbly gifted for leadership in Government. Dedicated to the public service, he studied very long and very hard to find, as he saw the light, what best served the people. He demonstrated in his lifetime an elegant and telling facility of expression, at once eloquent and persuasive. Surely, as the voice of the people of the United States in the United Nations, the town meeting of the world, he gave vigor and stature to the positions of our Government, on all those varied and complex questions which concern the very future of the world. He stood up, stern and unyielding, to the merciless outpourings of Communist propaganda. I knew the late Adlai Stevenson solely by reputation, until during the administration of the late President Kennedy when I was appointed as a minority member of the delegation headed by the present Chief Executive, the then Vice President, and by the late Ambassador Stevenson together with Henry Labouisse, of the State Department, to pay the official respects of this



Public Law 89-80
89th Congress, S. 21
July 22, 1965

An Act

To provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Water Resources
Planning Act.

SHORT TITLE

SECTION 1. This Act may be cited as the "Water Resources Planning Act".

STATEMENT OF POLICY

SEC. 2. In order to meet the rapidly expanding demands for water throughout the Nation, it is hereby declared to be the policy of the Congress to encourage the conservation, development, and utilization of water and related land resources of the United States on a comprehensive and coordinated basis by the Federal Government, States, localities, and private enterprise with the cooperation of all affected Federal agencies, States, local governments, individuals, corporations, business enterprises, and others concerned.

EFFECT ON EXISTING LAWS

SEC. 3. Nothing in this Act shall be construed—

(a) to expand or diminish either Federal or State jurisdiction, responsibility, or rights in the field of water resources planning, development, or control; nor to displace, supersede, limit or modify any interstate compact or the jurisdiction or responsibility of any legally established joint or common agency of two or more States, or of two or more States and the Federal Government; nor to limit the authority of Congress to authorize and fund projects;

Federal or
state juris-
diction.

(b) to change or otherwise affect the authority or responsibility of any Federal official in the discharge of the duties of his office except as required to carry out the provisions of this Act with respect to the preparation and review of comprehensive regional or river basin plans and the formulation and evaluation of Federal water and related land resources projects;

Federal offi-
cials.

79 STAT. 244.

79 STAT. 245.

(c) as superseding, modifying, or repealing existing laws applicable to the various Federal agencies which are authorized to develop or participate in the development of water and related land resources or to exercise licensing or regulatory functions in relation thereto, except as required to carry out the provisions of this Act; nor to affect the jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, the Permanent Engineering Board and the United States Operating Entity or Entities established pursuant to the Columbia River Basin Treaty, signed at Washington, January 17, 1961, or the International Boundary and Water Commission, United States and Mexico;

Federal agencies
and interna-
tional commis-
sions.

TIAS 5638.

(d) as authorizing any entity established or acting under the provisions hereof to study, plan, or recommend the transfer of waters between areas under the jurisdiction of more than one river basin commission or entity performing the function of a river basin commission.

River basin
commissions.

TITLE I—WATER RESOURCES COUNCIL

SEC. 101. There is hereby established a Water Resources Council (hereinafter referred to as the "Council") which shall be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, the Secretary of Health, Education, and Welfare, and the Chairman of the Federal Power Commission. The Chairman of the Council shall request the heads of other Federal agencies to participate with the Council when matters affecting their responsibilities are considered by the Council. The Chairman of the Council shall be designated by the President.

Duties.

SEC. 102. The Council shall—

(a) maintain a continuing study and prepare an assessment biennially, or at such less frequent intervals as the Council may determine, of the adequacy of supplies of water necessary to meet the water requirements in each water resource region in the United States and the national interest therein; and

(b) maintain a continuing study of the relation of regional or river basin plans and programs to the requirements of larger regions of the Nation and of the adequacy of administrative and statutory means for the coordination of the water and related land resources policies and programs of the several Federal agencies; it shall appraise the adequacy of existing and proposed policies and programs to meet such requirements; and it shall make recommendations to the President with respect to Federal policies and programs.

Federal projects procedures.

SEC. 103. The Council shall establish, after such consultation with other interested entities, both Federal and non-Federal, as the Council may find appropriate, and with the approval of the President, principles, standards, and procedures for Federal participants in the preparation of comprehensive regional or river basin plans and for the formulation and evaluation of Federal water and related land resources projects. Such procedures may include provision for Council revision of plans for Federal projects intended to be proposed in any plan or revision thereof being prepared by a river basin planning commission.

Review of plans.

SEC. 104. Upon receipt of a plan or revision thereof from any river basin commission under the provisions of section 204(3) of this Act, the Council shall review the plan or revision with special regard to—

79 STAT. 245.

(1) the efficacy of such plan or revision in achieving optimum use of the water and related land resources in the area involved;

79 STAT. 246.

(2) the effect of the plan on the achievement of other programs for the development of agricultural, urban, energy, industrial, recreational, fish and wildlife, and other resources of the entire Nation; and

(3) the contributions which such plan or revision will make in obtaining the Nation's economic and social goals.

Based on such review the Council shall—

(a) formulate such recommendations as it deems desirable in the national interest; and

(b) transmit its recommendations, together with the plan or revision of the river basin commission and the views, comments and recommendations with respect to such plan or revision submitted by any Federal agency, Governor, interstate commission, or United States section of an international commission, to the

Report to President and Congress.

President for his review and transmittal to the Congress with his recommendations in regard to authorization of Federal projects.

SEC. 105. (a) For the purpose of carrying out the provisions of this Act, the Council may: (1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable; (2) acquire, furnish, and equip such office space as is necessary; (3) use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States; (4) employ and fix the compensation of such personnel as it deems advisable, in accordance with the civil service laws and Classification Act of 1949, as amended; (5) procure services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), at rates not to exceed \$100 per diem for individuals; (6) purchase, hire, operate, and maintain passenger motor vehicles; and (7) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

Administrative provisions.

63 Stat. 954;
78 Stat. 400.
5 USC 1071
note.
60 Stat. 810.

(b) Any member of the Council is authorized to administer oaths when it is determined by a majority of the Council that testimony shall be taken or evidence received under oath.

Oaths.

(c) To the extent permitted by law, all appropriate records and papers of the Council may be made available for public inspection during ordinary office hours.

Records, public inspection.

(d) Upon request of the Council, the head of any Federal department or agency is authorized (1) to furnish to the Council such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such Council on a reimbursable basis such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The Council shall be responsible for (1) the appointment and supervision of personnel, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditures of funds.

TITLE II—RIVER BASIN COMMISSIONS

CREATION OF COMMISSIONS

SEC. 201. (a) The President is authorized to declare the establishment of a river basin water and related land resources commission upon request therefor by the Council, or request addressed to the Council by a State within which all or part of the basin or basins concerned are located if the request by the Council or by a State (1) defines the area, river basin, or group of related river basins for which a commission is requested, (2) is made in writing by the Governor or in such manner as State law may provide, or by the Council, and (3) is concurred in by the Council and by not less than one-half of the States within which portions of the basin or basins concerned are located and, in the event the Upper Colorado River Basin is involved, by at least three of the four States of Colorado, New Mexico, Utah, and Wyoming or, in the event the Columbia River Basin is involved, by at least three of the four States of Idaho, Montana, Oregon, and Washington. Such concurrences shall be in writing.

79 STAT. 246.
79 STAT. 247.

Duties.

(b) Each such commission for an area, river basin, or group of river basins shall, to the extent consistent with section 3 of this Act—

(1) serve as the principal agency for the coordination of Federal, State, interstate, local and nongovernmental plans for the development of water and related land resources in its area, river basin, or group of river basins;

(2) prepare and keep up to date, to the extent practicable, a comprehensive, coordinated, joint plan for Federal, State, interstate, local and nongovernmental development of water and related resources: *Provided*, That the plan shall include an evaluation of all reasonable alternative means of achieving optimum development of water and related land resources of the basin or basins, and it may be prepared in stages, including recommendations with respect to individual projects;

(3) recommend long-range schedules of priorities for the collection and analysis of basic data and for investigation, planning, and construction of projects; and

(4) foster and undertake such studies of water and related land resources problems in its area, river basin, or group of river basins as are necessary in the preparation of the plan described in clause (2) of this subsection.

MEMBERSHIP OF COMMISSIONS

SEC. 202. Each river basin commission shall be composed of members appointed as follows:

Federal chairmen.

(a) A chairman appointed by the President who shall also serve as chairman and coordinating officer of the Federal members of the commission and who shall represent the Federal Government in Federal-State relations on the commission and who shall not, during the period of his service on the commission, hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the Federal Government;

Federal agencies.

(b) One member from each Federal department or independent agency determined by the President to have a substantial interest in the work to be undertaken by the commission, such member to be appointed by the head of such department or independent agency and to serve as the representative of such department or independent agency;

States.

(c) One member from each State which lies wholly or partially within the area, river basin, or group of river basins for which the commission is established, and the appointment of each such member shall be made in accordance with the laws of the State which he represents. In the absence of governing provisions of State law, such State members shall be appointed and serve at the pleasure of the Governor;

Interstate agencies.

(d) One member appointed by any interstate agency created by an interstate compact to which the consent of Congress has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is created;

International commissions.

(e) When deemed appropriate by the President, one member, who shall be appointed by the President, from the United States section of any international commission created by a treaty to which the consent of the Senate has been given, and whose jurisdiction extends to the waters of the area, river basin, or group of river basins for which the river basin commission is established.

ORGANIZATION OF COMMISSIONS

SEC. 203. (a) Each river basin commission shall organize for the performance of its functions within ninety days after the President shall have declared the establishment of such commission, subject to the availability of funds for carrying on its work. A commission shall terminate upon decision of the Council or agreement of a majority of the States composing the commission. Upon such termination, all property, assets, and records of the commission shall thereafter be turned over to such agencies of the United States and the participating States as shall be appropriate in the circumstances: *Provided*, That studies, data, and other materials useful in water and related land resources planning to any of the participants shall be kept freely available to all such participants.

Disposition of records.

(b) State members of each commission shall elect a vice chairman, who shall serve also as chairman and coordinating officer of the State members of the commission and who shall represent the State governments in Federal-State relations on the commission.

(c) Vacancies in a commission shall not affect its powers but shall be filled in the same manner in which the original appointments were made: *Provided*, That the chairman and vice chairman may designate alternates to act for them during temporary absences.

Vacancies.

(d) In the work of the commission every reasonable endeavor shall be made to arrive at a consensus of all members on all issues; but failing this, full opportunity shall be afforded each member for the presentation and report of individual views: *Provided*, That at any time the commission fails to act by reason of absence of consensus, the position of the chairman, acting in behalf of the Federal members, and the vice chairman, acting upon instructions of the State members, shall be set forth in the record: *Provided further*, That the chairman, in consultation with the vice chairman, shall have the final authority, in the absence of an applicable bylaw adopted by the commission or in the absence of a consensus, to fix the times and places for meetings, to set deadlines for the submission of annual and other reports, to establish subcommittees, and to decide such other procedural questions as may be necessary for the commission to perform its functions.

Chairmen, final authority.

DUTIES OF THE COMMISSIONS

SEC. 204. Each river basin commission shall—

(1) engage in such activities and make such studies and investigations as are necessary and desirable in carrying out the policy set forth in section 2 of this Act and in accomplishing the purposes set forth in section 201 (b) of this Act;

(2) submit to the Council and the Governor of each participating State a report on its work at least once each year. Such report shall be transmitted through the President to the Congress. After such transmission, copies of any such report shall be sent to the heads of such Federal, State, interstate, and international agencies as the President or the Governors of the participating States may direct;

Report to President and Congress.

(3) submit to the Council for transmission to the President and by him to the Congress, and the Governors and the legislatures of the participating States a comprehensive, coordinated, joint plan, or any major portion thereof or necessary revisions thereof, for

Joint plan, transmission.

water and related land resources development in the area, river basin, or group of river basins for which such commission was established. Before the commission submits such a plan or major portion thereof or revision thereof to the Council, it shall transmit the proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and each interstate agency, from which a member of the commission has been appointed, and to the head of the United States section of any international commission if the plan, portion or revision deals with a boundary water or a river crossing a boundary, or any tributary flowing into such boundary water or river, over which the international commission has jurisdiction or for which it has responsibility. Each such department and agency head, Governor, interstate agency, and United States section of an international commission shall have ninety days from the date of the receipt of the proposed plan, portion, or revision to report its views, comments, and recommendations to the commission. The commission may modify the plan, portion, or revision after considering the reports so submitted. The views, comments, and recommendations submitted by each Federal department or agency head, Governor, interstate agency, and United States section of an international commission shall be transmitted to the Council with the plan, portion, or revision; and

(4) submit to the Council at the time of submitting such plan, any recommendations it may have for continuing the functions of the commission and for implementing the plan, including means of keeping the plan up to date.

POWERS AND ADMINISTRATIVE PROVISIONS OF THE COMMISSIONS

SEC. 205. (a) For the purpose of carrying out the provisions of this title, each river basin commission may—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable;

(2) acquire, furnish, and equip such office space as is necessary;

(3) use the United States mails in the same manner and upon the same conditions as departments and agencies of the United States;

(4) employ and compensate such personnel as it deems advisable, including consultants, at rates not to exceed \$100 per diem, and retain and compensate such professional or technical service firms as it deems advisable on a contract basis;

(5) arrange for the services of personnel from any State or the United States, or any subdivision or agency thereof, or any intergovernmental agency;

(6) make arrangements, including contracts, with any participating government, except the United States or the District of Columbia, for inclusion in a suitable retirement and employee benefit system of such of its personnel as may not be eligible for or continuing in another governmental retirement or employee benefit system, or otherwise provide for such coverage of its personnel;

(7) purchase, hire, operate, and maintain passenger motor vehicles; and

(8) incur such necessary expenses and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) The chairman of a river basin commission, or any member of such commission designated by the chairman thereof for the purpose, is authorized to administer oaths when it is determined by a majority of the commission that testimony shall be taken or evidence received under oath. Oaths.

(c) To the extent permitted by law, all appropriate records and papers of each river basin commission shall be made available for public inspection during ordinary office hours. Records, public inspection.

(d) Upon request of the chairman of any river basin commission, or any member or employee of such commission designated by the chairman thereof for the purpose, the head of any Federal department or agency is authorized (1) to furnish to such commission such information as may be necessary for carrying out its functions and as may be available to or procurable by such department or agency, and (2) to detail to temporary duty with such commission on a reimbursable basis such personnel within his administrative jurisdiction if it may need or believe to be useful for carrying out its functions, each such detail to be without loss of seniority, pay, or other employee status.

(e) The chairman of each river basin commission shall, with the concurrence of the vice chairman, appoint the personnel employed by such commission, and the chairman shall, in accordance with the general policies of such commission with respect to the work to be accomplished by it and the timing thereof, be responsible for (1) the supervision of personnel employed by such commission, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditure of funds available to such commission. Personnel.

COMPENSATION OF COMMISSION MEMBERS

SEC. 206. (a) Any member of a river basin commission appointed pursuant to section 202 (b) and (e) of this Act shall receive no additional compensation by virtue of his membership on the commission, but shall continue to receive, from appropriations made for the agency from which he is appointed, the salary of his regular position when engaged in the performance of the duties vested in the commission.

(b) Members of a commission, appointed pursuant to section 202 (b) and (d) of this Act, shall each receive such compensation as may be provided by the States or the interstate agency respectively, which they represent.

(c) The per annum compensation of the chairman of each river basin commission shall be determined by the President, but when employed on a full-time annual basis shall not exceed the maximum scheduled rate for grade GS-18 of the Classification Act of 1949, as amended; or when engaged in the performance of the commission's duties on an intermittent basis such compensation shall be not more than \$100 per day and shall not exceed \$12,000 in any year. Chairmen. 78 Stat. 400. 5 USC 1113.

SEC. 207. (a) Each commission shall recommend what share of its expenses shall be borne by the Federal Government, but such share shall be subject to approval by the Council. The remainder of the commission's expenses shall be otherwise apportioned as the commission may determine. Each commission shall prepare a budget annually and transmit it to the Council and the States. Estimates of pro- Expenses.

42 Stat. 20.
31 USC 1.

posed appropriations from the Federal Government shall be included in the budget estimates submitted by the Council under the Budgeting and Accounting Act of 1921, as amended, and may include an amount for advance to a commission against State appropriations for which delay is anticipated by reason of later legislative sessions. All sums appropriated to or otherwise received by a commission shall be credited to the commission's account in the Treasury of the United States.

(b) A commission may accept for any of its purposes and functions appropriations, donations, and grants of money, equipment, supplies, materials, and services from any State or the United States or any subdivision or agency thereof, or intergovernmental agency, and may receive, utilize, and dispose of the same.

Annual audit.

(c) The commission shall keep accurate accounts of all receipts and disbursements. The accounts shall be audited at least annually in accordance with generally accepted auditing standards by independent certified or licensed public accountants, certified or licensed by a regulatory authority of a State, and the report of the audit shall be included in and become a part of the annual report of the commission.

Accounts,
inspection.

(d) The accounts of the commission shall be open at all reasonable times for inspection by representatives of the jurisdictions and agencies which make appropriations, donations, or grants to the commission.

TITLE III—FINANCIAL ASSISTANCE TO THE STATES FOR COMPREHENSIVE PLANNING GRANT AUTHORIZATIONS

Appropriation
authorization.

SEC. 301. (a) In recognition of the need for increased participation by the States in water and related land resources planning to be effective, there are hereby authorized to be appropriated to the Council for the next fiscal year beginning after the date of enactment of this Act, and for the nine succeeding fiscal years thereafter, \$5,000,000 in each such year for grants to States to assist them in developing and participating in the development of comprehensive water and related land resources plans.

73 Stat. 678.
40 USC 461.

(b) The Council, with the approval of the President, shall prescribe such rules, establish such procedures, and make such arrangements and provisions relating to the performance of its functions under this title, and the use of funds available therefor, as may be necessary in order to assure (1) coordination of the program authorized by this title with related Federal planning assistance programs, including the program authorized under section 701 of the Housing Act of 1949, and (2) appropriate utilization of other Federal agencies administering programs which may contribute to achieving the purpose of this Act.

ALLOTMENTS

SEC. 302. (a) From the sums appropriated pursuant to section 301 for any fiscal year the Council shall from time to time make allotments to the States, in accordance with its regulations, on the basis of (1) the population, (2) the land area, (3) the need for comprehensive water and related land resources planning programs, and (4) the financial need of the respective States. For the purposes of this section the population of the States shall be determined on the basis of the latest estimates available from the Department of Commerce and the land area of the States shall be determined on the basis of the official records of the United States Geological Survey.

(b) From each State's allotment under this section for any fiscal year the Council shall pay to such State an amount which is not more than 50 per centum of the cost of carrying out its State program approved under section 303, including the cost of training personnel for carrying out such program and the cost of administering such program.

STATE PROGRAMS

SEC. 303. The Council shall approve any program for comprehensive water and related land resources planning which is submitted by a State, if such program—

(1) provides for comprehensive planning with respect to intra-state or interstate water resources, or both, in such State to meet the needs for water and water-related activities taking into account prospective demands for all purposes served through or affected by water and related land resources development, with adequate provision for coordination with all Federal, State, and local agencies, and nongovernmental entities having responsibilities in affected fields;

(2) provides, where comprehensive statewide development planning is being carried on with or without assistance under section 701 of the Housing Act of 1954, or under the Land and Water Conservation Fund Act of 1965, for full coordination between comprehensive water resources planning and other statewide planning programs and for assurances that such water resources planning will be in conformity with the general development policy in such State;

73 Stat. 678.
40 USC 461.
78 Stat. 897.
16 USC 4601-4
note.

(3) designates a State agency (hereinafter referred to as the "State agency") to administer the program;

(4) provides that the State agency will make such reports in such form and containing such information as the Council from time to time reasonably requires to carry out its functions under this title;

(5) sets forth the procedure to be followed in carrying out the State program and in administering such program; and

(6) provides such accounting, budgeting, and other fiscal methods and procedures as are necessary for keeping appropriate accountability of the funds and for the proper and efficient administration of the program.

The Council shall not disapprove any program without first giving reasonable notice and opportunity for hearing to the State agency administering such program.

Notice of hearing.

REVIEW

SEC. 304. Whenever the Council after reasonable notice and opportunity for hearing to a State agency finds that—

(a) the program submitted by such State and approved under section 303 has been so changed that it no longer complies with a requirement of such section; or

Noncompliance.
Curtailling of
payment.

(b) in the administration of the program there is a failure to comply substantially with such a requirement,

the Council shall notify such agency that no further payments will be made to the State under this title until it is satisfied that there will no longer be any such failure. Until the Council is so satisfied, it shall make no further payments to such State under this title.

PAYMENTS

SEC. 305. The method of computing and paying amounts pursuant to this title shall be as follows:

(1) The Council shall, prior to the beginning of each calendar quarter or other period prescribed by it, estimate the amount to be paid to each State under the provisions of this title for such period, such estimate to be based on such records of the State and information furnished by it, and such other investigation, as the Council may find necessary.

(2) The Council shall pay to the State, from the allotment available therefor, the amount so estimated by it for any period, reduced or increased, as the case may be, by any sum (not previously adjusted under this paragraph) by which it finds that its estimate of the amount to be paid such State for any prior period under this title was greater or less than the amount which should have been paid to such State for such prior period under this title. Such payments shall be made through the disbursing facilities of the Treasury Department, at such times and in such installments as the Council may determine.

DEFINITION

SEC. 306. For the purpose of this title the term "State" means a State, the District of Columbia, Puerto Rico, or the Virgin Islands.

RECORDS

Maintenance.

SEC. 307. (a) Each recipient of a grant under this Act shall keep such records as the Chairman of the Council shall prescribe, including records which fully disclose the amount and disposition of the funds received under the grant, and the total cost of the project or undertaking in connection with which the grant was made and the amount and nature of that portion of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

Audit.

(b) The Chairman of the Council and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant that are pertinent to the determination that funds granted are used in accordance with this Act.

TITLE IV—MISCELLANEOUS

AUTHORIZATION OF APPROPRIATIONS

SEC. 401. There are authorized to be appropriated not to exceed \$300,000 annually, to carry out the provisions of title I of this Act, not to exceed \$6,000,000 annually to carry out the provisions of title II, and not to exceed \$400,000 annually for the administration of title III: *Provided*, That, with respect to title II, not more than \$750,000 annually shall be available for any single river basin commission.

RULES AND REGULATIONS

SEC. 402. The Council is authorized to make such rules and regulations as it may deem necessary or appropriate for carrying out those provisions of this Act which are administered by it.

DELEGATION OF FUNCTIONS

SEC. 403. The Council is authorized to delegate to any member or employee of the Council its administrative functions under section 105 and the detailed administration of the grant program under title III.

UTILIZATION OF PERSONNEL

SEC. 404. The Council may, with the consent of the head of any other department or agency of the United States, utilize such officers and employees of such agency on a reimbursable basis as are necessary to carry out the provisions of this Act.

Approved July 22, 1965.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 169 accompanying H. R. 1111 (Comm. on Interior & Insular Affairs) and No. 603 (Comm. of Conference).

SENATE REPORT: No. 68 (Comm. on Interior & Insular Affairs).

CONGRESSIONAL RECORD, Vol. 111 (1965):

Feb. 25: Considered and passed Senate.

Mar. 31: Considered and passed House, amended, in lieu of H. R. 1111.

July 13: House agreed to conference report.

July 14: Senate agreed to conference report.

